

IN THE DISTRICT COURT OF THE UNITED STATES
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RECEIVED
MAR 20 2009

JOHN DOE HM, an
individual,

Plaintiff,

vs.

CITY OF CREVE COEUR,
MISSOURI, and JOHN
BEARDSLEE, Individually
and in his Official
Capacity as Police Chief
in the Creve Coeur
Police Department, et
al.,

Defendants.

Case No. 4:07CV00946 ERW

COUNTY COUNSELOR

DEPOSITION OF CAPTAIN DENNIS A. SPOERRY
TAKEN ON BEHALF OF THE PLAINTIFF
March 4, 2009

COPY

EXHIBIT

W

Catherine E. Boyd
P.O. Box 190601
St. Louis, MO 63119
314.918.8265
Fax: 314.918.0429

Boyd - Gwinn Reporting



David J. Gwinn
6459 Arsenal
St. Louis, MO 63139
314.645.5229
Fax: 314.644.3579

1	DIRECT EXAMINATION	4
2	BY MS. RANGLES	
	CROSS-EXAMINATION	50
3	QUESTIONS BY MS. MERKLIN VON KAENEL	
	CROSS-EXAMINATION	69
4	QUESTIONS BY MS. OWENS	
	REDIRECT EXAMINATION	70
5	QUESTIONS BY MS. RANGLES	
	RECROSS-EXAMINATION	83
6	QUESTIONS BY MS. MERKLIN VON KAENEL	
	RECROSS-EXAMINATION	85
7	QUESTIONS BY MS. OWENS	

8	Exhibit 24	35
9	Exhibit No. 47	59
	Exhibit 30	78
10	Exhibit 29	82

11 Position Statement for Creve Coeur
A P P E A R A N C E S:

12 For the Plaintiff:
Randles, Mata & Brown, LLC
13 406 West 34th Street
Suite 623
14 Kansas City, Missouri 64111
By: Rebecca M. Randles, Attorney at Law

15 For the Defendants, Creve Coeur Police Department and
16 Chief Beardslee:
Sandberg Phoenix & von Gontard, L.L.C.
17 One City Centre
Suite 1500
18 Saint Louis, Missouri 63101
By: Stacie A. Owens, Attorney at Law

19 For the Defendants, Saint Louis County Police
20 Department, et al:
St. Louis County Counsel Counselor's Office
21 41 South Central
Lawrence K. Roos County Government Building
22 Clayton, Missouri 63105
By: Lorena V. Merklin von Kaenel, Attorney at Law

23 Also present: Sgt. Thomas Lasater, Officer Michael
24 Thomeczek, John Doe HM, and Police Chief Glenn Eidman

25 {Exhibits retained by Stacie Owens, Attorney at Law.}

IN THE DISTRICT COURT OF THE UNITED STATES
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN DOE HM, an)
individual,)
)
Plaintiff,)
vs.) Case No.
) 4:07CV00946 ERW
)
CITY OF CREVE COEUR,)
MISSOURI, and JOHN)
BEARDSLEE, Individually)
and in his Official)
Capacity as Police Chief)
in the Creve Coeur)
Police Department, et)
al.,)
)
Defendants.)

DEPOSITION OF CAPTAIN DENNIS A. SPOERRY, produced,
sworn, and examined on March 4, 2009, between the hours
of 9:11 o'clock in the forenoon and 11:16 o'clock in
the forenoon of that day, at the law offices of
Sandberg, Phoenix & von Gontard, One City Centre, 15th
Floor, Saint Louis, Missouri, before CATHERINE E. BOYD,
a Certified Court Reporter, #0233, within and for the
State of Missouri, a Registered Professional Reporter,
and a Certified Shorthand Reporter in the state of
Illinois, in a certain cause now pending in the United
States District Court, within and for the Eastern
Division of the Eastern Judicial District of Missouri,
wherein, JOHN DOE HM, an individual, are Plaintiffs and
CITY OF CREVE COEUR, MISSOURI, and JOHN BEARDSLEE,
Individually and in his Official Capacity as Police
Chief in the Creve Coeur Police Department, et al., are
Defendants.

1 IT IS HEREBY STIPULATED AND AGREED, by and between
2 counsel for the Plaintiff and counsel for the
3 Defendants that this deposition may be taken in
4 shorthand by Catherine E. Boyd, a Notary Public,
5 Certified Court Reporter, and Registered Professional
6 Reporter, and afterwards transcribed into typewriting;
7 and the signature of the witness is expressly reserved.

8 * * * * *

9 {The deposition commenced at 9:11 a.m.}

10 CAPTAIN DENNIS A. SPOERRY,
11 of lawful age, produced, sworn, and examined on behalf
12 of the Plaintiffs, deposes and says:

13 DIRECT EXAMINATION

09:13 14 BY MS. RANGLES:

09:13 15 Q. Good morning.

09:13 16 A. Good morning.

09:13 17 Q. My name is Rebecca Randles, and I represent
09:13 18 John Doe HM in this matter.

09:13 19 MS. RANGLES: Before we go too far, Mr. John
09:13 20 Doe HM's name is confidential in the lawsuit, and what
09:13 21 we've been doing in depositions is we've been going
09:13 22 ahead and asking the court reporter to replace it with
09:13 23 the initials HM through the course of the deposition.
09:13 24 Can you do that?

09:13 25 THE REPORTER: Absolutely.

09:14 26 MS. RANGLES: And he also has a number of
09:14 27 siblings, and so with regard to the siblings, we've
09:14 28 been using their first name, and then Doe.

09:14 1 Q. (By Ms. Randles) And would you please state
09:14 2 your full name for the record?

09:14 3 A. Sure. Dennis Arnold Spoerry, S-p-o-e-r-r-y.

09:14 4 Q. And you are Captain Spoerry?

09:14 5 A. Yes, ma'am.

09:14 6 Q. Through the deposition I'll either refer to
09:14 7 you as Captain Spoerry, or Captain, if that's okay with
09:14 8 you.

09:14 9 A. Whatever. Thank you.

09:14 10 Q. And I assume you've given depositions
09:14 11 before?

09:14 12 A. Yes, ma'am.

09:14 13 Q. Just so we're all on the same page, I'll go
09:14 14 ahead and tell you kind of the rules of the
09:14 15 depositions, and I'm sure that we will all break them
09:14 16 during the course of the day. But during the course of
09:14 17 the day, if you would answer with a yes or a no,
09:14 18 instead of an uh-huh or a huh-uh, it's much easier to
09:14 19 get down for the court reporter.

09:15 20 A. Yes, ma'am.

09:15 21 Q. And even though in the course of usual
09:15 22 conversation we tend to step on each others lines
09:15 23 because we know what's coming next, if you would wait
09:15 24 until the question is completely out, and I will wait
09:15 25 until your answer is completely out, again, for the

09:15 1 court reporter's sake, so she can get down all of the
09:15 2 words that we're speaking.

09:15 3 A. Yes, ma'am.

09:15 4 Q. And you're doing a very nice job of
09:15 5 answering yes, as opposed to uh-huh, and I appreciate
09:15 6 that. As you know, you're under oath.

09:15 7 A. Yes, ma'am.

09:15 8 Q. And this testimony can be used the same in
09:15 9 court, as if you were actually raising your hand in
09:15 10 court. And you understand that as well?

09:15 11 A. Yes, sir.

09:15 12 Q. If during the course of the deposition, if
09:15 13 for any reason you want to take a break, just let me
09:15 14 know. And that's perfectly okay to take a break at any
09:15 15 time. I can see the sun bouncing off your glasses.

09:15 16 MS. OWENS: We can close the blinds. It
09:15 17 might keep it from getting hot in here.

09:15 18 Q. (By Ms. Randles) Is that better?

09:15 19 A. Thank you.

09:16 20 Q. Is there any condition or any medication
09:16 21 that we should be aware of that either prevents you
09:16 22 from giving a deposition today, or that might limit or
09:16 23 inhibit your ability to give a deposition today?

09:16 24 A. No.

09:16 25 Q. Okay. Can you tell us what your educational

09:16 1 history is, starting from the time you graduated high
09:16 2 school?

09:16 3 A. Following high school, I attended Meramec
09:16 4 Community College, Jefferson Community College in
09:16 5 Hillsboro, and Tarkio College.

09:16 6 Q. Over on the west side of the state?

09:16 7 A. No. They had a satellite here in the St.
09:16 8 Louis area.

09:16 9 Q. Now, that college closed; didn't it?

09:16 10 A. I think it did.

09:16 11 Q. Yeah, that's too bad. That was a good
09:16 12 school. Student loans problems, I think. Did you
09:17 13 graduate with a degree?

09:17 14 A. Yes, ma'am.

09:17 15 Q. From Tarkio?

09:17 16 A. Yes, ma'am.

09:17 17 Q. And with what degree did you graduate?

09:17 18 A. Criminal Justice.

09:17 19 Q. Subsequently, did you go to the Police
09:17 20 Academy?

09:17 21 A. Well, prior to that, yes, ma'am; St. Louis
09:17 22 City Police Academy.

09:17 23 Q. When did you go to the Police Academy?

09:17 24 A. 1974.

09:17 25 Q. After you went to the Police Academy, did

09:17 1 you go to work for a department?

09:17 2 A. Yes, ma'am.

09:17 3 Q. Where did you go to work?

09:17 4 A. Creve Coeur Police Department.

09:17 5 Q. And have you been at Creve Coeur ever since?

09:17 6 A. Yes, ma'am.

09:17 7 Q. Did you pick up your degree while you were a
09:17 8 police officer at Creve Coeur?

09:17 9 A. Yes, ma'am.

09:17 10 Q. Now, if you would, have you ever taught at
09:17 11 the Academy?

09:17 12 A. Yes, ma'am.

09:17 13 Q. And what have you taught at the Academy?

09:17 14 A. Crime scene photography.

09:18 15 Q. Do you still teach there?

09:18 16 A. No, it was one semester.

09:18 17 Q. When did you teach crime scene photography?

09:18 18 A. I believe that was -- it's been a number of
09:18 19 years ago, probably in the 80s.

09:18 20 Q. Okay. And what is your current position
09:18 21 with Creve Coeur?

09:18 22 A. I'm presently the Admin. Support Commander.

09:18 23 Q. What does that mean?

09:18 24 A. Oversee the dispatchers, supervise
09:18 25 dispatchers, records clerks, take care of the

09:18 1 administrative and support services with regard to
09:18 2 purchases, and maintaining the radio equipment, police
09:18 3 vehicles.

09:18 4 Q. Does that include the IT and the police
09:19 5 vehicles?

09:19 6 A. I help support that, yes, ma'am.

09:19 7 Q. Any other job duties that you currently
09:19 8 fulfill as --

09:19 9 A. Also involved in the emergency operations,
09:19 10 and WMD.

09:19 11 Q. What is that?

09:19 12 A. Weapons of Mass Destruction.

09:19 13 Q. WMD.

09:19 14 A. Yes, ma'am.

09:19 15 Q. What is your role with regard to WMD?

09:19 16 A. I was an instructor.

09:19 17 Q. Is that something that's fairly new, a new
09:19 18 issue that you're having to deal with?

09:19 19 A. No. Actually, started that -- We started it
09:19 20 in 1999. And then subsequent to 2001, it really kicked
09:19 21 off.

09:19 22 Q. Sure. Was the bombing in Oklahoma one of
09:20 23 the things that caused the --

09:20 24 A. It was one, yes, ma'am.

09:20 25 Q. How long have you been the Administrative

09:20 1 Support Commander?

09:20 2 A. Presently since -- I believe it was November
09:20 3 of 15th of 2008. And then I had another time, I
09:20 4 believe it was from around the middle of 2005 to about
09:20 5 the middle of 2006.

09:20 6 Q. Okay. Prior to -- Between 2006 and 2008,
09:20 7 what was your position?

09:20 8 A. I was an investigative commander.

09:20 9 Q. Is that the position that Captain Hodak now
09:20 10 has?

09:20 11 A. Yes, ma'am.

09:20 12 Q. And what were your job duties there?

09:21 13 A. Oversee investigations, supervise.

09:21 14 Q. And would these be all investigations?

09:21 15 A. Criminal investigations.

09:21 16 Q. What about Internal Affairs investigations?

09:21 17 A. If I were assigned, yes, ma'am.

09:21 18 Q. And did you have any assignment for
09:21 19 investigating any allegations concerning John Doe HM?

09:21 20 A. No, ma'am.

09:21 21 Q. And then prior to -- from 2005 to 2006 then,
09:21 22 you were, again, the Administrative Support Commander?

09:22 23 A. I believe that's the time frame, yeah. I'm
09:22 24 trying to remember if I did, if it was 2004 and 2005,
09:22 25 and then I was Investigations in the latter part of

09:22 1 2005 up to 2008.

09:22 2 Q. Okay.

09:22 3 A. I'm not real --

09:22 4 Q. But, approximately, in that time?

09:22 5 A. Approximately, yes, ma'am.

09:22 6 Q. That's close enough.

09:22 7 A. Okay. Thank you.

09:22 8 Q. Prior to 2005, what was your -- 2004/

09:22 9 2005 --

09:22 10 A. Yes, ma'am.

09:22 11 Q. -- what was your position?

09:22 12 A. I was a Deputy Patrol Commander.

09:22 13 Q. And how long were you Deputy Patrol

09:22 14 Commander?

09:22 15 A. For about three years.

09:22 16 Q. So from, approximately, 2001?

09:22 17 A. I believe so.

09:22 18 Q. And what were your job duties as Deputy

09:22 19 Patrol Commander?

09:22 20 A. Assist the Patrol Commander. I oversaw the

09:23 21 training, the Training Coordinator.

09:23 22 Q. Okay. Who was the Training Coordinator at

09:23 23 the time?

09:23 24 A. I would have been the Training Coordinator

09:23 25 at that time. And it was under two commanders, Captain

09:23 1 Bailey and Captain Kayser.

09:23 2 Q. During that time frame, did you have any
09:23 3 duties in training John Doe HM? I can't remember if he
09:23 4 was before or after that. I mean, if he was after you.

09:23 5 A. Not that I can recall.

09:23 6 Q. Okay. Prior to 2001, what was your job
09:24 7 title?

09:24 8 A. I was a road supervisor, a sergeant.

09:24 9 Q. What is a road supervisor sergeant?

09:24 10 A. A sergeant, who worked actually in teams;
09:24 11 two sergeants to a shift, eight officers to a shift.

09:24 12 Q. Is that like a watch commander?

09:24 13 A. Yes, ma'am.

09:24 14 Q. And how long were you the road supervisor
09:24 15 watch commander?

09:24 16 A. Five years. Four or five years.

09:24 17 Q. So '97, '98, somewhere around that time
09:24 18 frame?

09:24 19 A. I believe.

09:24 20 Q. When did you move from -- I assume you
09:25 21 started as patrol?

09:25 22 A. Actually, I started out as a dispatcher.

09:25 23 Q. Oh, you started out as a dispatcher.

09:25 24 A. Yes, ma'am.

09:25 25 Q. And how long were you a dispatcher?

09:25 1 A. About a year.

09:25 2 Q. And from dispatcher, where did you move?

09:25 3 A. Patrol officer.

09:25 4 Q. And how long were you a patrol officer?

09:25 5 A. From 1974 until I became a supervisor, a

09:25 6 sergeant.

09:25 7 Q. So until about 1997?

09:25 8 A. I believe.

09:25 9 Q. Approximately?

09:25 10 A. Yes, ma'am.

09:25 11 Q. Have you ever had any job responsibilities

09:25 12 as a detective?

09:25 13 A. Yes, ma'am.

09:25 14 Q. Is that when you were the investigative

09:25 15 commander?

09:25 16 A. Yes, ma'am.

09:25 17 Q. Can you just briefly give me the chain of

09:26 18 command at the police department as it stands right

09:26 19 now?

09:26 20 A. Yes, ma'am. Right now, you have the chief.

09:26 21 There are three captains.

09:26 22 Q. Okay.

09:26 23 A. What are their names?

09:26 24 Q. Yes, please.

09:26 25 A. Chief Eidman, Captain Hodak, Captain Kayser.

09:26 1 Q. Is that K-a-y-s-e-r?

09:26 2 A. K-a-y-s-e-r, yes, ma'am. And myself. And
09:26 3 the lieutenant, Lieutenant Funkhouser.
09:26 4 F-u-n-k-h-o-u-s-e-r.

09:26 5 Q. Just one lieutenant?

09:26 6 A. Yes, ma'am.

09:26 7 Q. And in the line of command, who would he
09:27 8 fall under?

09:27 9 A. Captain Hodak.

09:27 10 Q. And below the lieutenant, what would be the
09:27 11 next?

09:27 12 A. The sergeants.

09:27 13 Q. How many sergeants do you have?

09:27 14 A. Six.

09:27 15 Q. And are they --

09:27 16 A. Yes, six.

09:27 17 Q. And is there one person who is responsible
09:27 18 for their supervision?

09:27 19 A. It would be fall under Lieutenant
09:27 20 Funkhouser, and then Captain Hodak.

09:27 21 Q. Okay. You don't need to give me the
09:27 22 sergeants' names. But below the sergeants are the
09:27 23 patrol officers?

09:27 24 A. I'm sorry, ma'am?

09:27 25 Q. Below the sergeants are the patrol officers?

09:27 1 A. Yes, ma'am.

09:27 2 Q. Now, do you have direct supervisory duties
09:27 3 over any group of individuals?

09:27 4 A. Presently?

09:27 5 Q. Yes.

09:27 6 A. Yes, ma'am.

09:27 7 Q. And over who do you have supervisory duties?

09:28 8 A. Dispatchers and the record clerks.

09:28 9 Q. Are those civilian employees?

09:28 10 A. Yes.

09:28 11 Q. Do you have any duties at all over the
09:28 12 police officers; supervisory?

09:28 13 A. Well, as a commander, if there is not
09:28 14 another commander available, yes, I would.

09:28 15 Q. And Captain Kayser, does he have any
09:28 16 supervisory functions over any of the employees of the
09:28 17 police department?

09:28 18 A. Likewise, if there is no one available, he
09:28 19 is a commander, and he would be able to supervise, yes.

09:28 20 Q. And is there anyone who falls directly under
09:28 21 him on a day-to-day basis?

09:28 22 A. Officer Lisa Hahn.

09:28 23 Q. What is her title?

09:28 24 A. They're working together under special
09:28 25 projects.

09:28 1 Q. Okay. And does that pretty much cover all
09:28 2 of the employees for Creve Coeur Police Department
09:29 3 where they would fall in the chain of command?

09:29 4 A. Police officers, yes, ma'am.

09:29 5 Q. Are there any other civilians -- Aside from
09:29 6 secretaries, are there any other civilians that work
09:29 7 for the police department?

09:29 8 A. There is an admin. aide that falls directly
09:29 9 under me.

09:29 10 Q. What is the job duty of the admin. aide?

09:29 11 A. To assist any of the -- with any of the
09:29 12 purchases. Also helps to maintain records regarding
09:29 13 equipment and the vehicles.

09:29 14 Q. What kind of records are maintained with
09:29 15 regard to equipment and vehicles?

09:29 16 A. Mileage, service, repairs.

09:29 17 Q. Is the administrative aide the one who's
09:29 18 responsible for the IT side, of keeping the records on
09:29 19 the IT side?

09:29 20 A. Keeping the records on the IT?

09:30 21 Q. I guess, are there any records kept with
09:30 22 regard to the computerized --

09:30 23 A. That would fall -- The records would fall
09:30 24 under my supervision.

09:30 25 Q. And what kind of records are kept concerning

09:30 1 the vehicles and their computerized functions?

09:30 2 A. Are we talking about service, or --

09:30 3 Q. I assume service records are kept?

09:30 4 A. They're maintained in a -- We have a paper
09:30 5 file, and then we also have spreadsheets.

09:30 6 Q. And then with regard to maintaining the
09:30 7 actual, say, the videos that are made from the police
09:30 8 calls, does that fall under your area, or does that
09:30 9 fall under another area?

09:30 10 A. Actually, there is a sergeant that is
09:30 11 maintaining the videos and the service on the videos.

09:30 12 Q. And who is that?

09:30 13 A. Sergeant McCrary.

09:31 14 Q. And now --

09:31 15 A. I'm sorry. If there is a problem with the
09:31 16 video, then we would look into it as far as the
09:31 17 equipment is concerned.

09:31 18 Q. Okay. If someone reports that a video isn't
09:31 19 working, does that come to your office?

09:31 20 A. Generally, it goes through Sergeant McCrary,
09:31 21 and then to the admin. aide.

09:31 22 Q. Did you know John Doe HM when he was on the
09:32 23 force?

09:32 24 A. Yes, ma'am.

09:32 25 Q. And how did you know John Doe HM when he was

09:32 1 on the force?

09:32 2 A. He made application to become a police
09:32 3 officer.

09:32 4 Q. And were you part of the process for vetting
09:32 5 or hiring police officers at that time?

09:32 6 A. His name came before me. I don't recall if
09:32 7 I was on any vetting committee at the time.

09:32 8 Q. But you learned that he was one who had
09:32 9 applied?

09:32 10 A. Yes, ma'am.

09:32 11 Q. One way or another?

09:32 12 A. Yes, ma'am.

09:32 13 Q. And did you interview him when he came to be
09:32 14 interviewed?

09:32 15 A. Not that I recall.

09:32 16 Q. Okay. Do you know if you did any background
09:32 17 checks?

09:32 18 A. No.

09:32 19 Q. Did you contact any references?

09:32 20 A. No, ma'am.

09:32 21 Q. Did any references contact you?

09:32 22 A. No, ma'am.

09:32 23 Q. So you never spoke to anyone about his
09:32 24 references before --

09:32 25 A. No, ma'am.

09:32 1 Q. -- he became a police officer? If you would
09:32 2 wait until I finish the question, it would make it
09:32 3 easier for the court reporter.

09:33 4 Once he was hired -- And did you have any input
09:33 5 into his hiring?

09:33 6 A. They may have discussed with the commanders
09:33 7 someone being hired, and the attributes that that
09:33 8 person may bring to the department.

09:33 9 Q. Okay. Do you have any specific recollection
09:33 10 of discussing that regarding John Doe HM?

09:33 11 A. The one that I do remember was that Mr. John
09:33 12 Doe HM was very good with the computers, and we were
09:33 13 going through a transition at that time with regard to
09:33 14 in-car computers, and we thought it would be a plus to
09:33 15 have someone with his experience in computers.

09:33 16 Q. Did you find that to be accurate?

09:33 17 A. He did assist.

09:33 18 Q. And did he do a good job with assisting with
09:33 19 the computers?

09:33 20 A. I don't -- I don't recall -- I don't recall
09:34 21 any real problems, but I don't recall one way or the
09:34 22 other.

09:34 23 Q. Okay. And that was before you became the
09:34 24 Commander for Administrative Services; is that correct?

09:34 25 A. I believe so.

09:34 1 Q. Once Mr. John Doe HM became a member of the
09:34 2 force, how often did you have interaction with him?

09:34 3 A. Met in the hallway. I would say we would
09:34 4 greet each other, exchange pleasantries.

09:34 5 Q. Did you come to know anything about his
09:34 6 work, or how well he was doing with regard to his
09:34 7 probationary status?

09:34 8 A. No.

09:34 9 Q. Did Mr. John Doe HM have a reputation for
09:34 10 being a good police officer, as far as you knew?

09:35 11 A. I don't -- I don't know anything that I can
09:35 12 say was particularly negative.

09:35 13 Q. And the converse of that is you also didn't
09:35 14 know of any -- he didn't have a reputation for being a
09:35 15 bad officer either?

09:35 16 A. Not that I'm aware of.

09:35 17 Q. Were you able to observe him enough to draw
09:35 18 your own conclusions as to the quality of the
09:35 19 performance that he gave to Creve Coeur?

09:35 20 A. Again, I wasn't directly -- I wouldn't have
09:35 21 been supervising him at the time. I'm not aware of any
09:35 22 problems. I'm not aware of any exemplary actions
09:35 23 either.

09:35 24 Q. Okay. Did you know Crystal Marshall?

09:36 25 A. Yes, ma'am.

09:36 1 Q. And how did you know Crystal Marshall?

09:36 2 A. She was a dispatcher with the police
09:36 3 department.

09:36 4 Q. Was she a dispatcher at the time that you
09:36 5 were the supervisor for dispatchers?

09:36 6 A. Yes, ma'am.

09:36 7 Q. And during what time frame? You indicated
09:36 8 you were in administrative support twice?

09:36 9 A. Again, I think it was -- I think it was
09:36 10 between May of '05 to -- I think it was middle of '06,
09:36 11 I think, right around that area.

09:36 12 Q. Did you ever have any problems with Crystal
09:36 13 Marshall as a dispatcher?

09:36 14 A. The only thing that I remember about Crystal
09:36 15 was that she -- she, like many of the other
09:36 16 dispatchers, chitchatted a lot.

09:36 17 Q. You had to tell them to get back to work?

09:37 18 A. When -- Yes.

09:37 19 Q. Okay. Were there any other issues that you
09:37 20 had with regard to Crystal Marshall's performance?

09:37 21 A. I believe on her evaluation it was the rumor
09:37 22 mongering. I always tell them, if you don't have the
09:37 23 information up front, personal, then don't spread
09:37 24 anything.

09:37 25 Q. Okay. So she had been known to be something

09:37 1 of a gossip?

09:37 2 A. Yes, ma'am.

09:37 3 Q. Did you know at any point in time that
09:37 4 Crystal Marshall and John Doe HM were having a dating
09:37 5 relationship?

09:37 6 A. Yes, I believe they were.

09:38 7 Q. And when did you learn that Crystal Marshall
09:38 8 and John Doe HM were involved in a dating relationship?

09:38 9 A. I believe it was when Mr. John Doe HM
09:38 10 started with the police department.

09:38 11 Q. So that was a fact that was known when he
09:38 12 first came to the department?

09:38 13 A. Yes, ma'am.

09:38 14 Q. Do you know if Crystal Marshall dated anyone
09:38 15 else on the department?

09:38 16 A. Not that I'm aware of.

09:38 17 Q. Do you know if -- Did it ever become an
09:38 18 issue of her dating anyone from a different department?

09:38 19 A. I believe she had a child from another --
09:38 20 police officer from another department.

09:38 21 Q. Did that create any issues between the two
09:38 22 departments, or with regard to her ability to work?

09:39 23 A. Not that I'm aware of, no.

09:39 24 Q. Did you ever discuss with John Doe HM his
09:39 25 relationship with Crystal Marshall?

09:39 1 A. Not that I'm aware of.

09:39 2 Q. Did you ever discuss with Crystal Marshall
09:39 3 her relationship with John Doe HM?

09:39 4 A. Not that I -- Not that I'm aware of or
09:39 5 recall.

09:39 6 Q. Now, your relationship with Crystal
09:39 7 Marshall, was that -- were you friends? Did you do
09:39 8 anything -- and I don't mean in a dating manner, did
09:39 9 you do anything outside of the department together,
09:39 10 like go for drinks, or happy hour, or anything like
09:39 11 that?

09:39 12 A. No, ma'am.

09:39 13 Q. Were you friendly at the department? Would
09:40 14 you consider her a coworker friend, or was she merely a
09:40 15 supervisory --

09:40 16 A. She was a coworker associate.

09:40 17 Q. Okay. Did she share with you any personal
09:40 18 things?

09:40 19 A. She may have.

09:40 20 Q. Do you recall any topics that she shared
09:40 21 with you?

09:40 22 A. I believe when she was -- when she was
09:40 23 pregnant, she was concerned with some of the problems
09:40 24 that she was having.

09:40 25 Q. And was that relative to her being unable to

09:40 1 be at work, or --

09:41 2 A. I believe sometime it was, yes, ma'am.

09:41 3 Q. Did she engage in confidential -- what you
09:41 4 would consider, when I used the term yesterday: Did
09:41 5 she become, in any regard, a confidant with you, where
09:41 6 she would share with you very personal things that she
09:41 7 expected you to keep confidential?

09:41 8 A. No.

09:41 9 Q. Do you know when the last time you spoke to
09:41 10 her was?

09:41 11 A. I guess it was before -- before she had left
09:41 12 the department.

09:41 13 Q. Do you recall when she left the department?

09:41 14 A. No, ma'am.

09:41 15 Q. Did you ever have a complaint filed against
09:42 16 you by Crystal Marshall of any kind?

09:42 17 A. No, ma'am.

09:42 18 Q. Or grievance?

09:42 19 A. Not that I'm aware of.

09:42 20 Q. Okay. Did you become aware at some point in
09:42 21 time of a sequence of events that involved John Doe HM,
09:42 22 in which he was picked up or detained by the St. Louis
09:42 23 County Police Department, and then taken to the
09:42 24 Highland Center?

09:42 25 A. Yes, ma'am.

09:42 1 Q. And when did you become aware of that?

09:42 2 A. I believe that was the latter part of 2005.

09:42 3 Q. Okay.

09:42 4 A. In December.

09:42 5 Q. For the record, because it's already been

09:42 6 established, the date that that occurred was

09:42 7 December 31st, New Year's Eve of 2005.

09:42 8 A. Yes, ma'am.

09:42 9 Q. Did Miss Marshall call you concerning John

09:43 10 Doe HM around that time?

09:43 11 A. Yes, ma'am.

09:43 12 Q. And can you tell me what Miss Marshall told

09:43 13 you with regard to John Doe HM?

09:43 14 A. It was -- She was -- The only thing I can

09:43 15 remember is that there was some concern. She had a

09:43 16 concern for Mr. John Doe HM, and it had something to do

09:43 17 with what was reported. And I said if she had any

09:43 18 information, she should contact the reporting

09:43 19 department because it didn't involve -- nothing

09:43 20 occurred within Creve Coeur.

09:43 21 Q. Did she tell you what she was concerned

09:43 22 about being reported?

09:43 23 A. I'm trying to think back. She had

09:43 24 information, personal information.

09:43 25 Q. Did she ever tell you that she had a suicide

09:43 1 note from John Doe HM?

09:43 2 A. She may have. She may have.

09:44 3 Q. Okay. Do you recall if she called it a
09:44 4 suicide note, or if she called it something else?

09:44 5 A. I don't -- I don't recall.

09:44 6 Q. Okay. What else did she tell you about John
09:44 7 Doe HM during that time frame?

09:44 8 A. Again, the only thing I remember is she
09:44 9 wanted to report her concern for Mr. John Doe HM, and
09:44 10 she had this information. It may have been a note, but
09:44 11 it did not involve the Creve Coeur Police Department.
09:44 12 If there was another agency taking the report, that
09:44 13 information should be given to -- whatever information
09:44 14 there was, should be given to that reporting
09:44 15 department.

09:44 16 Q. Okay. Do you know if she did that?

09:44 17 A. No, ma'am, I do not.

09:45 18 Q. Do you know if this happened on the night or
09:45 19 the day that Mr. John Doe HM was detained?

09:45 20 A. I know it was at night when she called me.

09:45 21 Q. Do you recall what her concerns were with
09:45 22 regard to Mr. John Doe HM?

09:45 23 A. (No response.)

09:45 24 Q. And the reason I'm asking, you said that she
09:45 25 had concern for John Doe HM regarding what was

09:45 1 reported. And from your question, I couldn't quite
09:45 2 tell, did she have concerns about John Doe HM, and also
09:45 3 concerns about what was reported, or was she talking to
09:45 4 you about what was reported?

09:45 5 A. I think she was concerned -- If I recall,
09:45 6 she was concerned for his welfare.

09:45 7 Q. And do you recall what she said about that?

09:46 8 A. No, ma'am, I don't.

09:46 9 Q. Do you know if at the time -- Did she tell
09:46 10 you whether or not they were still dating at the time
09:46 11 that she made this call to you?

09:46 12 A. I don't recall if there were or not.

09:46 13 Q. Now, you also indicated that she was
09:46 14 concerned about how the issues were reported; is that
09:46 15 correct?

09:46 16 MS. OWENS: Object. Mischaracterizes --

09:46 17 MS. MERKLIN VON KAENEL: Sorry. Go ahead,
09:46 18 Stacie.

09:46 19 MS. OWENS: Objection. Mischaracterizes his
09:46 20 previous testimony.

09:46 21 Q. (By Ms. Randles) I had written down that
09:46 22 she was concerned regarding what was had reported; is
09:46 23 that accurate?

09:46 24 A. She was concerned about Mr. John Doe's
09:46 25 welfare, and she wanted, she had information about Mr.

09:47 1 John Doe HM. And it may have had something to do with
09:47 2 a note. All I remember is that it didn't involve --
09:47 3 nothing occurred within Creve Coeur. And if she had
09:47 4 any information, it was important that she give it to
09:47 5 the investigating department.

09:47 6 Q. Okay. Once she made these calls to you --
09:47 7 Well, do you recall whether it was one call or more
09:47 8 than one?

09:47 9 A. No, ma'am.

09:47 10 Q. That is, you don't recall?

09:47 11 A. I don't recall, no.

09:47 12 Q. When Crystal or when anyone calls in like
09:47 13 that, is there some kind of log or report that has to
09:47 14 be kept?

09:48 15 A. If there was a situation that involved --
09:48 16 because Mr. John Doe HM was with the Creve Coeur Police
09:48 17 Department at the time, I would have then contacted the
09:48 18 chief of police.

09:48 19 Q. Do you recall making that contact with the
09:48 20 chief of police?

09:48 21 A. I believe I did.

09:48 22 MS. MERKLIN VON KAENEL: I'm sorry. What
09:48 23 was your answer?

09:48 24 A. I believe I did.

09:48 25 MS. MERKLIN VON KAENEL: Thank you. I'm

09:48 1 sorry.

09:48 2 Q. (By Ms. Randles) And that was Chief
09:48 3 Beardslee at the time?

09:48 4 A. Yes.

09:48 5 Q. What did you report to Chief Beardslee?

09:48 6 A. I believe that Mr. John Doe HM was in the
09:48 7 hospital, and that a report was taken with St. Louis
09:48 8 County, and it was reported that he wanted to harm
09:48 9 himself.

09:48 10 Q. And did you pass on that Crystal Marshall
09:48 11 had made a call to you?

09:48 12 A. I probably did, yes.

09:48 13 Q. Was Crystal Marshall the only means by which
09:49 14 you learned that John Doe HM was in the hospital?

09:49 15 A. On that immediacy, I believe it was.

09:49 16 Q. At the time that you reported to the Chief
09:49 17 Beardslee, was your report based solely on what Crystal
09:49 18 Marshall had told you at that time?

09:49 19 A. I believe so.

09:49 20 Q. Okay. And because of the seriousness of the
09:49 21 allegations, it would be essential to go ahead and
09:49 22 report that information to Chief Beardslee; correct?

09:49 23 A. Yes.

09:50 24 Q. Okay. Did Chief Beardslee discuss with you
09:50 25 any of that information?

09:50 1 A. (No response.)

09:50 2 Q. You indicated that you reported to Chief
09:50 3 Beardslee the information that Crystal had imparted to
09:50 4 you?

09:50 5 A. Right.

09:50 6 Q. Did Chief Beardslee then discuss with you
09:50 7 the importance or the relevance of any of that
09:50 8 information?

09:50 9 A. If -- I believe he may have already known.
09:50 10 Maybe someone else had called him. I don't recall,
09:50 11 other than that.

09:50 12 Q. Okay. Did you have to write a report
09:51 13 concerning Crystal Marshall's reports to you?

09:51 14 A. The only thing I did was advised the Chief.

09:51 15 Q. Nothing written?

09:51 16 A. No.

09:51 17 Q. I assume that your advising the chief was
09:51 18 via telephone?

09:51 19 A. Yes, ma'am.

09:51 20 Q. After the events of 12/31, did you have any
09:51 21 further -- did you have anything to do with the events
09:51 22 that transpired after that regarding John Doe HM, or
09:51 23 was this the only time that you became involved in this
09:51 24 situation at all?

09:51 25 A. There was a discussion with the chief, and

09:52 1 some of the command staff, or the command staff that
09:52 2 was available as to what had been reported through St.
09:52 3 Louis County.

09:52 4 Q. And what did you learn had been reported
09:52 5 through St. Louis County?

09:52 6 A. That Mr. John Doe HM had allegedly
09:52 7 threatened suicide.

09:52 8 Q. And, to your knowledge, did the report of
09:52 9 the threatening of suicide come directly from the
09:52 10 County, or was that relying on Crystal Marshall? Did
09:52 11 you see the police report?

09:52 12 A. No.

09:52 13 Q. Did you speak with anyone from St. Louis.
09:53 14 County?

09:53 15 A. No, ma'am.

09:53 16 Q. And who reported then that St. Louis County
09:53 17 had indicated that John Doe HM had threatened suicide?

09:53 18 A. I believe it was a relative. I believe it
09:53 19 was wife -- ex-wife.

09:53 20 Q. You did not speak directly with the wife or
09:53 21 the ex-wife?

09:53 22 A. No, ma'am.

09:53 23 Q. Do you know if anyone from Creve Coeur
09:53 24 actually spoke to the wife?

09:53 25 A. I don't know.

09:53 1 Q. This came from St. Louis County, though,
09:54 2 that the wife had indicated that John Doe HM had
09:54 3 attempted, or was --

09:54 4 A. I believe so.

09:54 5 Q. -- thinking of suicide?

09:54 6 A. I believe so, yes, ma'am.

09:54 7 Q. And with regard to the meeting of the
09:54 8 commanders, what else was discussed regarding John Doe
09:54 9 HM?

09:54 10 A. They felt -- Because Mr. John Doe HM at that
09:54 11 time was on probation, his probationary period, and, I
09:54 12 believe, it caused -- of this event, it was determined
09:54 13 whether he should be maintained with the police
09:54 14 department. And then I believe Chief Beardslee came up
09:55 15 with an exit strategy to release Mr. John Doe HM.

09:55 16 Q. Now, you've already indicated that you did
09:55 17 not investigate any of the allegations, that that
09:55 18 wasn't --

09:55 19 A. No, ma'am.

09:55 20 Q. -- your responsibility?

09:55 21 A. No, ma'am.

09:55 22 Q. Do you know if any investigation concerning
09:55 23 any of these allegations was actually conducted?

09:55 24 A. I don't know.

09:55 25 Q. Is it routine that investigations would be

09:55 1 conducted into misconduct of an officer?

09:55 2 A. They can be. It depends upon what the
09:55 3 allegation is.

09:55 4 Q. And who would be responsible for conducting
09:55 5 an investigation into the conduct of an officer?

09:55 6 A. It would be signed by the chief.

09:55 7 Q. And has the chief, in the past, occasionally
09:56 8 taken it upon himself to do the investigation into the
09:56 9 allegations against an officer?

09:56 10 A. No.

09:56 11 Q. Do you know --

09:56 12 A. Not that I recall.

09:56 13 Q. Do you know whether the chief was the one
09:56 14 who assigned himself in this situation that John Doe
09:56 15 HM --

09:56 16 A. I don't know.

09:56 17 Q. At any point in time, did you learn that
09:56 18 John Doe HM had been the victim of a childhood sexual
09:56 19 assault?

09:56 20 A. Much later on.

09:56 21 Q. When did you learn that?

09:56 22 A. Mr. John Doe HM was gone, and it was --
09:56 23 Matter of fact, I want to say that it was -- when I
09:56 24 became aware of it was when this lawsuit came about.

09:56 25 Q. Okay. How did you learn about this lawsuit?

09:57 1 MS. OWENS: Other than discussion with
09:57 2 counsel?

09:57 3 Q. (By Ms. Randles) Exactly. I don't know
09:57 4 need to know anything that you discussed with your
09:57 5 counsel.

09:57 6 A. Prior to Chief Beardslee leaving, that there
09:57 7 was a lawsuit.

09:57 8 Q. Was this part of a meeting that Chief
09:57 9 Beardslee had with the commanders?

09:57 10 A. It may have been.

09:57 11 Q. Do you recall what he told you about the
09:57 12 lawsuit?

09:57 13 A. Only that Mr. John Doe HM was bringing a
09:57 14 lawsuit against the department for his dismissal.

09:57 15 Q. And you had indicated that you learned about
09:57 16 the childhood sexual assault after him bringing the
09:57 17 lawsuit. Did Chief Beardslee impart that to you?

09:57 18 A. I believe he did.

09:58 19 Q. Do you recall a safety alert being issued by
09:58 20 Creve Coeur concerning John Doe HM following his
09:58 21 termination?

09:58 22 A. Yes, ma'am.

09:58 23 Q. And did you have any part in the issuance of
09:58 24 that safety alert?

09:58 25 A. Chief Beardslee may have consulted with me,

09:58 1 and/or the other commanders.

09:58 2 Q. Do you have a specific recollection of him
09:58 3 consulting with you?

09:58 4 A. I believe we talked about it, yes.

09:58 5 Q. And did he give you any indication as to why
09:58 6 he believed the safety alert was necessary?

09:58 7 A. I believe it was because of the event, and
09:58 8 the safety, welfare of Mr. John Doe HM, and other
09:59 9 personnel.

09:59 10 Q. Okay.

09:59 11 MS. MERKLIN VON KAENEL: Can we stop for a
09:59 12 second?

09:59 13 {The preceding question and answer was read
09:59 14 back.}

09:59 15 Q. (By Ms. Randles) And I'm going to hand you
09:59 16 what has previously been marked as Exhibit 24. We're a
09:59 17 little far apart. In the second paragraph, it
09:59 18 indicates on the third line down that "Officer John Doe
09:59 19 HM has recently disclosed information, and exhibited
10:00 20 signs of emotional problems that include the potential
10:00 21 for suicide." Were you aware of any disclosures of
10:00 22 information that Mr. John Doe HM had made?

10:00 23 A. Just the suicide information.

10:00 24 Q. Okay. And that, of course, came to you from
10:00 25 Crystal Marshall, and from the commanders' meeting?

10:00 1 A. Yes, ma'am.

10:00 2 Q. Were you aware of any meeting that the chief
10:00 3 had with John Doe HM concerning the childhood sexual
10:00 4 abuse matter?

10:00 5 A. No.

10:00 6 Q. Then it goes on to say: "Statements from
10:00 7 creditable sources suggest that Officer John Doe HM has
10:00 8 threatened harm to himself and others." Do you know
10:00 9 who the credible sources were that were being referred
10:00 10 to in this safety alert?

10:00 11 A. Probably based on the police report.

10:01 12 Q. Have you ever seen an employee safety alert
10:01 13 such as this being issued by the department before?

10:01 14 A. Not that I recall.

10:01 15 Q. Do you recall whether any safety alert of
10:01 16 that type has been issued since Mr. John Doe HM was
10:01 17 terminated?

10:01 18 A. I don't believe so.

10:01 19 Q. Was Chief Beardslee the one who made the
10:02 20 decision to issue the safety alert?

10:02 21 A. Yes. But I think we -- I think, again,
10:02 22 questioned the commanders, if we thought it would be
10:02 23 appropriate, and I concurred.

10:02 24 Q. And on what basis did you concur that the
10:02 25 safety alert was necessary?

10:02 1 A. The fact that he had alleged suicide, and if
10:02 2 there was firearms involved, then that could be a
10:02 3 serious danger to Mr. John Doe HM, and any other
10:02 4 employee.

10:02 5 Q. Were you concerned that the issuance of a
10:02 6 safety alert such as this, which especially says that
10:02 7 when stopped by -- "our officers should be especially
10:02 8 alert to any approach," were you concerned that that
10:02 9 would put Mr. John Doe HM at risk?

10:02 10 A. How do you mean?

10:03 11 Q. When an individual is considered armed and
10:03 12 dangerous, what is appropriate manner to approach them
10:03 13 if you're a police officer?

10:03 14 A. If they're considered armed and dangerous?

10:03 15 Q. Yes.

10:03 16 A. Approach them with caution and try to
10:03 17 approach them in a safe area; cover, if he should be
10:03 18 displaying a weapon.

10:03 19 Q. If an individual is considered armed and
10:03 20 dangerous and he is not displaying a weapon, is it
10:03 21 appropriate for a police offer to draw his weapon prior
10:03 22 to approaching this individual, who is known to be
10:03 23 armed and dangerous?

10:03 24 A. It could be.

10:03 25 Q. In the situation of this employee safety

10:03 1 alert, was it anticipated that a police officer should
10:03 2 draw their weapon should they be approached by John Doe
10:03 3 HM?

10:03 4 A. No.

10:03 5 Q. What is the difference?

10:03 6 A. It's just a precaution that advised the
10:03 7 officers that because of the situation, that if Mr.
10:03 8 John Doe HM comes to the station, that we should be
10:03 9 observant, and be cautious.

10:04 10 Q. Now, you have no knowledge as to whether any
10:04 11 independent investigation into any of the alleged facts
10:04 12 took place by the Creve Coeur Police Department;
10:04 13 correct?

10:04 14 A. I have no knowledge of that, no.

10:04 15 Q. Now, assuming that there never was a suicide
10:04 16 note, would that change your opinion as to whether or
10:04 17 not Mr. John Doe HM was appropriately terminated?

10:04 18 A. I believe it had to do with the report -- I
10:04 19 don't know if the suicide -- I don't know how the
10:04 20 suicide note fits in. But my understanding is that the
10:05 21 Mr. John Doe HM's wife, or ex-wife -- again, I don't
10:05 22 recall -- had reported it. So I don't know if she had
10:05 23 any information about a suicide note.

10:05 24 Q. Assume, if you will, that Crystal Marshall
10:05 25 called the ex-wife, and indicated there was a suicide

10:05 1 note, and that she also called the St. Louis County
10:05 2 police officers, and indicated there was a suicide
10:05 3 note, but no suicide note, in fact, ever existed. In
10:05 4 that situation, do you believe that the termination of
10:05 5 John Doe HM would have been an appropriate termination?

10:05 6 MS. OWENS: Objection. Assumes facts not in
10:05 7 evidence. Other than that, you can answer, if you
10:05 8 know.

10:05 9 A. I guess it would be based upon the totality
10:05 10 of the circumstances. Again, I didn't do the
10:05 11 investigation. St. Louis County took the report. I'm
10:05 12 not familiar with what was in the report. So I believe
10:06 13 that the chief made a decision based upon the report,
10:06 14 and the safety and welfare of Mr. John Doe HM, and the
10:06 15 personnel at Creve Coeur.

10:06 16 Q. Your agreement, or your recommendation that
10:06 17 Mr. John Doe HM be terminated before his probationary
10:06 18 period ended was based upon the assessment by Chief
10:06 19 Beardslee, that this was the appropriate steps based
10:06 20 upon the police report; is that correct?

10:06 21 A. It had to be based upon the information that
10:06 22 I would have received from the chief and the chief's
10:07 23 assessment.

10:07 24 Q. But you were basing your assessment on what
10:07 25 the chief told you; correct?

10:07 1 A. Yes.

10:07 2 Q. And you had nothing independent to make any
10:07 3 kind of termination with regard to --

10:07 4 A. Other than the --

10:07 5 Q. -- Mr. John Doe HM?

10:07 6 A. -- information I had with regard to Miss
10:07 7 Marshall.

10:07 8 Q. And with regard to Miss Marshall, you did
10:07 9 have knowledge that she had, in the past, been told not
10:07 10 to rumormonger; is that correct?

10:07 11 A. I told her that.

10:07 12 Q. Now, can you describe for me what a
10:07 13 point-to-point alert is?

10:08 14 A. It would come from an originating agency,
10:08 15 and then transmitted point-to-point as an alert. And
10:08 16 it can go out as a general point-to-point or just
10:08 17 specific agencies.

10:08 18 Q. Do you know if there was a point-to-point
10:08 19 that was sent with regard to John Doe HM on the night
10:08 20 of 12/31/05?

10:08 21 A. I don't know.

10:08 22 Q. At that point in time, were you in charge of
10:08 23 dispatchers?

10:08 24 A. Yes.

10:08 25 Q. Do you know --

10:08 1 A. I believe so.

10:08 2 Q. Do you know who would know about whether or
10:08 3 not a point-to-point was broadcast?

10:08 4 A. Unless a dispatcher was on that night.
10:08 5 Whoever would have been on duty that evening.

10:08 6 Q. And who were the dispatchers who were --

10:08 7 A. I don't know.

10:08 8 Q. Was a Nancy -- I can't pull her last name.

10:08 9 A. Lauer.

10:08 10 Q. Yes. Was Nancy Lauer a dispatcher at that
10:08 11 point in time?

10:08 12 A. She would have been a dispatcher there, yes.

10:08 13 Q. How many dispatchers did you have? .

10:09 14 A. At that time, I don't know if we were a full
10:09 15 complement. We had a full complement of eight, and I
10:09 16 don't know if we had a full complement at that time or
10:09 17 not.

10:09 18 Q. And the dispatchers, are they assigned to a
10:09 19 day shift or a night shift?

10:09 20 A. They have rotating shifts, yes, ma'am.

10:09 21 Q. Are the day shift dispatchers always on day
10:09 22 shift, or do they rotate?

10:09 23 A. They rotate.

10:09 24 Q. So any of the eight could be on at a given
10:09 25 time?

10:09 1 A. Within a month period, yes, ma'am.

10:09 2 Q. At the time, 12/31 of '05, Crystal Marshall
10:09 3 had already left the force; hadn't she?

10:09 4 MS. OWENS: Objection. Assumes facts not in
10:09 5 evidence.

10:09 6 A. I don't recall. I really don't recall
10:09 7 whether she was there or not.

10:09 8 Q. (By Ms. Randles) Do you recall any of the
10:09 9 other dispatchers -- Crystal Marshall may or may not
10:09 10 have a dispatcher. There is a Nancy Lauer. And do you
10:10 11 recall any of the others who were dispatchers during
10:10 12 that time frame?

10:10 13 A. There was probably a Mary Koenig.

10:10 14 Q. What's that last name?

10:10 15 A. K-o-e-n-i-g. Amanda Lancaster. Retha
10:10 16 Bromley. And there may have been -- may have been a
10:10 17 Leanne Nelson at that time.

10:11 18 Q. Okay. Anyone else that you can recall?
10:11 19 That's six.

10:11 20 A. We changed. And I --

10:11 21 Q. Sure.

10:11 22 A. And I believe they were there at that time.

10:11 23 Q. Okay. Is there a policy -- Well, before we
10:11 24 go there: Is there a document that is generated when a
10:11 25 point-to-point goes out?

10:11 1 A. No.

10:11 2 Q. Is there anyway to determine whether or not
10:11 3 a point-to-point went out with regard to John Doe HM on
10:11 4 12/31 of '05?

10:11 5 A. A point-to-point radio transmission, not
10:11 6 that I'm aware of.

10:11 7 Q. So if a point-to-point goes out, there is no
10:11 8 logging of that transmission?

10:11 9 A. Not that I recall.

10:12 10 Q. Now, as I understand it, a point-to-point is
10:12 11 kind of like you see on a T.V., an all points bulletin;
10:12 12 is that correct?

10:12 13 A. Yes, ma'am.

10:12 14 Q. Now, is there a policy regarding the manner
10:12 15 in which point-to-points are broadcast?

10:12 16 A. It would be the originating department.

10:12 17 Q. Okay.

10:12 18 A. And that originating department would
10:12 19 contact the respective department, like Creve Coeur to
10:12 20 St. Louis County, or Creve Coeur to Des Peres;
10:12 21 point-to-point.

10:12 22 Q. Now, when a point-to-point comes in, is
10:12 23 there any policy with regard to whether that
10:12 24 information can be transmitted to civilians?

10:12 25 MS. OWENS: Other than the dispatchers?

10:12 1 Q. (By Ms. Randles) Yes. To members of the
10:13 2 public?

10:13 3 A. No.

10:13 4 Q. There is no policy?

10:13 5 A. They can't. It's not passed on to the
10:13 6 public, unless the public should be scanning it.

10:13 7 Q. Unless there is a specific threat against an
10:13 8 individual?

10:13 9 A. Well, if there were, then an officer would
10:13 10 contact that particular individual.

10:13 11 Q. Okay. Is there any disciplinary policy for
10:13 12 violation of the rule that point-to-point is not to be
10:13 13 circulated to members of the public?

10:13 14 A. Well, any information that would be
10:13 15 considered as confidential information should be kept
10:13 16 within the police community.

10:14 17 Q. And you don't recall whether Crystal
10:14 18 Marshall was or was not an employee at that point?

10:14 19 A. I don't recall, no, ma'am.

10:14 20 Q. Assuming that she was not an employee, would
10:14 21 it have been proper for anyone at the department to
10:14 22 tell Crystal Marshall that a point-to-point had been
10:14 23 issued concerning John Doe HM?

10:14 24 MS. OWENS: Objection. It assumes facts not
10:14 25 in evidence. You can answer, if you know, though.

10:14 1 A. Would you repeat the question?

10:14 2 Q. (By Ms. Randles) Sure. Assume for the
10:14 3 moment that Crystal Marshall was not an employee of the
10:14 4 Creve Coeur Police Department at that time. Would it
10:14 5 be proper for an employee to tell Crystal Marshall that
10:14 6 a point-to-point had been issued with regard to John
10:14 7 Doe HM?

10:14 8 A. No.

10:14 9 Q. And can one be disciplined if an individual
10:15 10 who is not an employee of Creve Coeur is told about a
10:15 11 point-to-point being issued regarding John Doe HM?

10:15 12 A. I suppose it could be.

10:15 13 Q. At any point in time -- I would like you to
10:15 14 move back now a couple of months from December 31st of
10:15 15 2005, to the November time frame. In November of 2005,
10:15 16 did you ever receive any information that John Doe HM
10:15 17 was in counseling of any kind?

10:15 18 A. No.

10:15 19 Q. Did receive any information that John Doe HM
10:15 20 was on any kind of psychotropic medication?

10:15 21 A. No.

10:15 22 Q. Did you receive any information that John
10:15 23 Doe HM was struggling with emotional issues during that
10:15 24 time frame?

10:15 25 A. No.

10:15 1 Q. In November, or approximately there, did you
10:15 2 receive any information that John Doe HM had been a
10:15 3 victim of a childhood sexual abuse crime?

10:16 4 A. No.

10:16 5 Q. Did you become aware of any of these things
10:16 6 prior to John Doe HM's termination?

10:16 7 A. No, ma'am.

10:16 8 Q. Did you have any input whatsoever into the
10:16 9 Position Statement that was filed by the attorneys on
10:16 10 this matter with the EEOC?

10:16 11 A. No.

10:16 12 Q. Did you ever receive any complaint about
10:16 13 John Doe HM, that his emotional status was somehow
10:16 14 suspect at any time prior to 12/31 of '05?

10:16 15 A. No.

10:16 16 Q. Did you ever receive any complaints about
10:17 17 the emotional status of John Doe HM at any point after
10:17 18 12/31 of '05?

10:17 19 MS. OWENS: Other than what we've already
10:17 20 discussed?

10:17 21 Q. (By Ms. Randles) Let me rephrase that. Did
10:17 22 you ever receive -- We know about the complaints
10:17 23 arising from 12/31 of '05. Putting aside that
10:17 24 incident, did you ever receive any complaints about
10:17 25 John Doe HM's emotional capacity after 12/31 of '05?

10:17 1 A. No, ma'am.

10:17 2 Q. Did you ever have any concerns about his
10:17 3 mental stability before 12/31 of '05?

10:17 4 A. Myself, no, ma'am.

10:17 5 Q. Yes. Before 12/31 of '05 were you ever a
10:17 6 party to any discussion about his mental stability?

10:17 7 A. No, ma'am.

10:17 8 Q. And after 12/31 of '05, putting aside this
10:17 9 one incident, did you ever have any discussions with
10:18 10 regard to John Doe HM's mental stability?

10:18 11 A. Putting that incident aside?

10:18 12 Q. Yes.

10:18 13 A. No.

10:18 14 Q. So was the only incident that raised any
10:18 15 concern for you concerning his mental stability the
10:18 16 incident of 12/31 of '05?

10:18 17 A. Yes, ma'am.

10:18 18 Q. And, again, the information that you
10:18 19 received with regard to 12/31 of '05 came from Chief
10:18 20 Beardslee and from Crystal Marshall; correct?

10:18 21 A. Yes. Others may have been informed, but I'm
10:18 22 not aware of it.

10:18 23 Q. Do you recall anything else that Crystal
10:18 24 Marshall told you with regard to John Doe HM at any
10:18 25 point in time?

10:18 1 MS. OWENS: I'm sorry. Can you repeat the
10:18 2 question.

10:18 3 Q. (By Ms. Randles) I said, do you recall
10:18 4 anything that Crystal Marshall may have told him at any
10:18 5 point in time concerning John Doe HM?

10:18 6 A. No.

10:19 7 MS. RANGLES: I think I'm finished, but
10:19 8 let's take just a brief break.

10:19 9 MS. OWENS: Sure.

10:19 10 {Short break taken.}

10:29 11 Q. (By Ms. Randles) I just have a couple of
10:30 12 follow-up questions. And the first is: Did you learn
10:30 13 of the existence of the St. Louis County report
10:30 14 initially from Crystal Marshall?

10:30 15 A. I don't recall.

10:30 16 Q. You indicated there was a Commander meeting
10:30 17 to discuss the events of 12/31 regarding John Doe HM.
10:30 18 Do you recall when that occurred?

10:30 19 A. I believe that would have been -- It was on
10:30 20 a Monday, I believe.

10:30 21 Q. 31st was a Saturday, I believe, so the
10:30 22 following Monday?

10:30 23 A. Probably.

10:30 24 Q. And was it decided at that meeting to
10:30 25 terminate John Doe HM?

10:30 1 A. We gave our opinions as to the concerns.

10:30 2 And, again, at the time, Mr. John Doe HM was on
10:31 3 probationary status.

10:31 4 Q. So was it at the Commander meeting that you
10:31 5 concurred in the chief's evaluation that he should be
10:31 6 terminated?

10:31 7 MS. OWENS: I object. It assumes facts not
10:31 8 in evidence. You can answer, if you know.

10:31 9 A. I think he asked for opinions. And if we
10:31 10 felt there was a safety concern, especially because of
10:31 11 the probationary status, the chief could make that
10:31 12 ultimate decision based upon the information that he
10:31 13 had regarding to this incident. And because he was on
10:31 14 probationary status, basically it's at will.

10:32 15 Q. In the end, it was the chief's decision
10:32 16 alone to terminate John Doe HM, wasn't it?

10:32 17 A. He would make that decision. It would go
10:32 18 through the city administrator.

10:32 19 Q. Who was the city administrator at the time?

10:32 20 A. Mr. Mark Perkins, P-e-r-k-i-n-s.

10:32 21 Q. Is he still the city administrator?

10:32 22 A. Yes, ma'am.

10:32 23 Q. Do you know how long he's been there?

10:32 24 A. Probably about six years or so.

10:32 25 Q. Okay. Did you ever learn of an incident

10:32 1 involving Crystal Marshall and Officer McIntyre or
10:32 2 McAtee from St. Louis County?

10:32 3 A. I don't recall anything involving -- no.

10:33 4 MS. RANGLES: No. Okay. All right. I have
10:33 5 nothing further.

10:33 6 CROSS-EXAMINATION

10:33 7 QUESTIONS BY MS. MERKLIN VON KAENEL:

10:33 8 Q. Hi. My name is Lorena Merklin von Kaenel.
10:33 9 I represent the defendants that are collectively known
10:33 10 as the St. Louis County defendants. They include St.
10:33 11 Louis County, itself, Chief Lee, our Chief of Police,
10:33 12 and Police Officers Thomeczek and Lasater. And I
10:33 13 represent that group. And I'm going to ask you a
10:33 14 couple of questions, and the same rules apply; if you
10:33 15 don't understand what I'm saying, please ask me to
10:33 16 repeat myself. Please ask me to slow down if that's
10:33 17 necessary. And then we'll try not to talk over each
10:33 18 other.

10:33 19 A. Yes, ma'am.

10:33 20 Q. And I'm going to try to go back through your
10:33 21 testimony that you gave Miss Randles, so it's going to
10:33 22 sound a little bit jumpy, but I'm going to try to go in
10:34 23 that order.

10:34 24 A. Yes, ma'am.

10:34 25 Q. You stated that you had a conversation with

10:34 1 Crystal Marshall with respect to the 12/31 of '05

10:34 2 events?

10:34 3 A. Yes, ma'am.

10:34 4 Q. So I'm going to take you back to that
10:34 5 conversation. And you said -- and if I'm mistaken,
10:34 6 please correct me -- you said that she had expressed
10:34 7 concern for John Doe's HM welfare?

10:34 8 A. That's what I recall, yes.

10:34 9 Q. How did she do that, sir?

10:34 10 A. Because of what had occurred, the incident,
10:34 11 itself --

10:34 12 Q. Uh-huh.

10:34 13 A. -- I believe she was concerned for, you
10:34 14 know, his well-being, his safety. And it may have been
10:34 15 they were still going together at the time. That's all
10:34 16 I recall.

10:34 17 Q. Did she seem upset? You know, sometimes
10:34 18 when you're worried, you're emotional. Did she seem --

10:35 19 A. I think she -- Yeah, on the phone, I would
10:35 20 say she was probably emotional, yes.

10:35 21 Q. But an emotion that's consistent with
10:35 22 concern?

10:35 23 A. Yes, ma'am.

10:35 24 Q. Okay. And then later on in your testimony,
10:35 25 we talked -- you spoke about the safety alert that was

10:35 1 issued --

10:35 2 A. Yes.

10:35 3 Q. -- by Creve Coeur Police Department. And
10:35 4 that safety alert, to your knowledge, is that simply
10:35 5 internal to the Creve Coeur Police Department?

10:35 6 A. Yes, ma'am.

10:35 7 Q. And, to your knowledge, was it generated
10:35 8 anywhere outside the Creve Coeur Police Department?

10:35 9 A. Not that I'm aware of, no, ma'am.

10:35 10 Q. And, to your knowledge, do you know -- It
10:35 11 was created by Chief Beardslee, and certain of the
10:35 12 upper command staff?

10:35 13 A. . Yes, ma'am.

10:35 14 Q. Was anybody from St. Louis County directly
10:35 15 involved in that alert, if you know?

10:36 16 A. No.

10:36 17 Q. And you talked about issuing a safety alert
10:36 18 because you have concerns for safety and for welfare of
10:36 19 your employees.

10:36 20 A. Yes, ma'am.

10:36 21 Q. Are there situations where a police
10:36 22 department would -- Explain to me why a police
10:36 23 department would be concerned about the welfare of
10:36 24 their employees with respect to an armed police officer
10:36 25 in this situation alleged to have been suicidal?

10:36 1 A. For that fact, alone. If the officer had
10:36 2 been -- It depends upon the time of the occurrence. If
10:36 3 the officer threatened suicide, and came to within the
10:36 4 confines of a police department, or met an officer, and
10:36 5 that officer is aware of it; the officer has to be
10:36 6 concerned if the other officer, the alleged officer, is
10:37 7 armed, and concerned about that person's intentions.
10:37 8 Are they wishing to commit suicide by them self, or do
10:37 9 they want to have suicide by cop?

10:37 10 Q. What does that mean, "suicide by cop"?

10:37 11 A. That's if someone -- If an individual wants
10:37 12 to commit suicide, but for whatever reason, they may
10:37 13 not be able to do it themselves, they may get into a
10:37 14 confrontation with a -- push an officer, become
10:37 15 aggressive with an officer, and, essentially, force
10:37 16 that officer to take some forceful action against them.

10:37 17 Q. Sort of an indirect way of committing
10:37 18 suicide?

10:37 19 A. Yes, ma'am.

10:37 20 Q. And with respect to employees who are either
10:37 21 former employees -- Is it a concern, generally, in our
10:38 22 society with respect to ex-employees? I mean, is that
10:38 23 an independent concern?

10:38 24 MS. RANGLES: Objection. Calls for
10:38 25 speculation.

10:38 1 MS. OWENS: You may answer.

10:38 2 A. Yes, ma'am. I think the term that is used
10:38 3 most predominant is "going postal."

10:38 4 Q. (By Ms. Merklin von Kaenel) Is that one of
10:38 5 the concerns that Creve Coeur had?

10:38 6 A. I believe so.

10:38 7 Q. And, again, I'm jumping, and I apologize,
10:38 8 but I'll let you know what we're talking about. You
10:38 9 talked about conversations you had with Crystal
10:38 10 Marshall. If she was an employee at the time, that is
10:38 11 between 2004 and 2005, would she have been under your
10:38 12 management chain as a dispatcher?

10:38 13 A. . Uh-huh.

10:38 14 Q. And so you had daily interactions with her?

10:39 15 A. I may have, yes.

10:39 16 Q. With your dispatch staff?

10:39 17 A. Yes, ma'am.

10:39 18 Q. But with her, you may have?

10:39 19 A. I may have.

10:39 20 Q. But are you familiar with her work habits?

10:39 21 A. Yes, ma'am.

10:39 22 Q. And you explained some of them to Miss
10:39 23 Randles. In your experience with respect to Miss
10:39 24 Marshall, when you managed her, had you had any
10:39 25 specific knowledge that she was incredible?

10:39 1 A. While I worked with her, no, she -- I did
10:39 2 one evaluation on her.

10:39 3 Q. Uh-huh.

10:39 4 A. And her -- She was competent at her job,
10:39 5 worked well under stress. The only problem that I had,
10:39 6 that I saw when I became the commander for that short
10:39 7 period of time down there was just too much hen pecking
10:40 8 and rumor mongering.

10:40 9 Q. What does hen pecking mean?

10:40 10 A. One dispatcher may not like another
10:40 11 dispatcher, and may say -- may have some tidbit of
10:40 12 information, true or not true, and they rumormonger.

10:40 13 Q. Did you have any specific knowledge that
10:40 14 Crystal Marshall was a liar and passing false
10:40 15 information?

10:40 16 A. No.

10:40 17 Q. She was just talking about other people?

10:40 18 A. Yes, ma'am.

10:40 19 Q. Okay. And then Miss Randles started talking
10:40 20 to you about situations where it is known that someone
10:40 21 is armed and possibly dangerous. Do you remember that
10:41 22 conversation?

10:41 23 A. Yes, ma'am.

10:41 24 Q. Okay. And you spoke a little bit about the
10:41 25 appropriateness of drawing a weapon or an officer

10:41 1 drawing a weapon. In a situation -- and I'm going to
10:41 2 ask you to -- I'm going to give you some facts, and I'm
10:41 3 going to ask you to assume them for purposes of the
10:41 4 question. Let me just ask you: You've been a police
10:41 5 officer for 35 years; is that right, close?

10:41 6 A. Getting close.

10:41 7 Q. Getting close. And you've been through the
10:41 8 Academy; is that correct?

10:41 9 A. Yes, ma'am.

10:41 10 Q. And you've, throughout your career as a
10:41 11 police officer, you've undergone inservice training?

10:41 12 A. Yes, ma'am.

10:41 13 Q. . And that kind of training is for the further
10:41 14 development of yourself as a police officer; is that
10:41 15 correct?

10:41 16 A. Yes, ma'am.

10:41 17 Q. And through the Academy, they impart
10:41 18 knowledge with respect to police techniques?

10:41 19 A. Yes, ma'am.

10:41 20 Q. The law?

10:41 21 A. Yes, ma'am.

10:41 22 Q. And then through your own department, you've
10:42 23 developed an expertise with respect to being a police
10:42 24 officer; is that correct?

10:42 25 A. Correct.

10:42 1 Q. And that's your 35 years of being a patrol
10:42 2 officer, supervisor, captain, and part of the command
10:42 3 staff; is that right?

10:42 4 A. Yes, ma'am.

10:42 5 Q. So with respect to a situation where a
10:42 6 police officer is confronted with a known police
10:42 7 officer with weapons, and it is alleged that he is
10:42 8 suicidal, might it be appropriate to draw a weapon as a
10:42 9 stopping officer in that situation?

10:42 10 A. Yes, ma'am.

10:42 11 Q. And might it also be appropriate, given
10:42 12 those facts, if the -- and the fact is, you're pulling
10:42 13 over a police officer who is known to have weapons, and
10:42 14 you have knowledge that he's suicidal. If that officer
10:42 15 that you're pulling over engages in a maneuver where he
10:43 16 U-turns his car, so it is facing your car, would that
10:43 17 be considered an aggressive maneuver?

10:43 18 A. Yes, ma'am.

10:43 19 Q. And if that officer that you're pulling over
10:43 20 doesn't immediately comply with your command, is that
10:43 21 also a place for concern for you as a stopping officer?

10:43 22 A. Yes, ma'am.

10:43 23 Q. And might those situations, given the
10:43 24 totality of those circumstances, might it be
10:43 25 appropriate to draw a weapon in those circumstances?

10:43 1 A. Yes, ma'am.

10:43 2 Q. And why would it be appropriate in that
10:43 3 circumstance?

10:43 4 A. Based upon what you just said --

10:43 5 Q. Yes, sir.

10:43 6 A. -- when a police officer stops a vehicle,
10:43 7 and they try to maintain behind that vehicle, and
10:43 8 approach the vehicle, generally speaking from the
10:43 9 passenger side, so that they have a better overview of
10:43 10 the person or persons inside the vehicle. If the
10:44 11 person doesn't stop immediately and comply with those
10:44 12 officer's commands, the officer become more cautious
10:44 13 and suspect. Again, based upon what you said, if the
10:44 14 driver of the vehicle, as you say, did a U-turn, and
10:44 15 faced you, a couple of things, the vehicle is now --
10:44 16 could be considered a weapon, in itself. And that
10:44 17 person is now facing you. And you have less control,
10:44 18 or unable to see as that person exits the vehicle, if
10:44 19 that person should have anything in his or her hand.

10:44 20 Q. Are all officers taught at the Academy that
10:44 21 the best tactical position is to behind the vehicle you
10:44 22 stop?

10:44 23 A. Yes, ma'am.

10:44 24 Q. And would John Doe HM have known that at the
10:44 25 time that he was stopped on 12/31 of '05, having been,

10:44 1 almost a year employee of Creve Coeur Police

10:45 2 Department?

10:45 3 A. I believe so, yes.

10:45 4 Q. And with respect to the decisions you make
10:45 5 as a police officer on the scene, is it based on -- is
10:45 6 your guidepost that you consider the totality of the
10:45 7 circumstances?

10:45 8 A. Yes, ma'am.

10:45 9 Q. And I'm going to hand you, and I'm going to
10:45 10 ask your lawyer to hand you what has been marked as
10:45 11 Exhibit No. 47. And these are the exhibits that we've
10:45 12 been using in this deposition in these series of
10:45 13 depositions between Creve Coeur, St. Louis County, and
10:45 14 the plaintiff.

10:45 15 A. Yes, ma'am.

10:45 16 Q. And I'm just going to briefly describe the
10:45 17 area. It's a road that is depicted in the middle of it
10:45 18 is Tesson Ferry Road, or otherwise known as 21?

10:45 19 A. Yes, ma'am.

10:45 20 Q. Are you familiar with that road?

10:45 21 A. Yes, ma'am.

10:45 22 Q. And what is depicted on the right-most side
10:45 23 is generally the location of 270, although this is not
10:46 24 to scale.

10:46 25 A. Yes, ma'am.

10:46 1 Q. And -- I'm sorry. The way you're looking at
10:46 2 it would be on the left. I'm sorry. And what is
10:46 3 marked as an X as been designated as St. Anthony's
10:46 4 Hospital?

10:46 5 A. Yes, ma'am.

10:46 6 Q. And then what's circled with an "FB" is a
10:46 7 bank?

10:46 8 A. (Indicating.)

10:46 9 Q. And then if you go further down the road of
10:46 10 21 towards the left-hand side of the drawing, there is
10:46 11 a parking lot?

10:46 12 A. Yes, ma'am.

10:46 13 Q. And that's depicted as a rectangle?

10:46 14 A. Yes, ma'am.

10:46 15 Q. So if I told you that the testimony was that
10:46 16 the person that -- Mr. John Doe HM came into the
10:46 17 parking lot, and turned his car in such a way,
10:46 18 following the curving line that connects to the car
10:46 19 designated as "MH." If I told you that Mr. John Doe HM
10:46 20 did that maneuver, as a stopping officer would that
10:47 21 give you concern?

10:47 22 A. Yes, ma'am.

10:47 23 Q. And why is that, sir?

10:47 24 A. Well, because -- the officer, or this
10:47 25 person, whoever in this car, as the officer is

10:47 1 approaching, if this vehicle stops, this officer has to
10:47 2 put it into gear, make observations, and all this
10:47 3 person has to do is open the door, and start shooting,
10:47 4 if that person had a weapon.

10:47 5 Q. And if I give you this fact: There are no
10:47 6 other cars in this parking lot.

10:47 7 MS. RANGLES: Objection. That assumes facts
10:47 8 not in evidence.

10:47 9 Q. (By Ms. Merklin von Kaenel) I'm going to
10:47 10 give you that fact there are no other cars in this
10:47 11 parking lot. Would it have been better for Mr. John
10:47 12 Doe HM to have just pulled it straight in to one of the
10:47 13 spots that are sort of roughly designated along the
10:47 14 bottom right of that rectangle?

10:47 15 A. Yes, ma'am.

10:47 16 Q. And would that have been a safer position
10:47 17 for the stopping officer?

10:47 18 MS. RANGLES: Objection. That was an
10:47 19 improper hypothetical, as it doesn't include all facts
10:48 20 that are in evidence, and it does not include an
10:48 21 appropriate description of the manner in which the
10:48 22 ingress for that particular parking lot is used, as
10:48 23 well as the speed bumps that are going to the parking
10:48 24 lots on the right and the left.

10:48 25 Q. (By Ms. Merklin von Kaenel) And then I'm

10:48 1 going to ask you, with respect to the -- I'm going to
10:48 2 go back -- I'm going to keep going along your
10:48 3 testimony. You spoke about point-to-point alerts with
10:48 4 Mis Randles.

10:48 5 A. Yes, ma'am.

10:48 6 Q. With respect to making a point-to-point
10:48 7 alert, whose decision -- if it's Creve Coeur, whose
10:48 8 decision is it to make the point-to-point alert?

10:48 9 A. To any agency that may be affected or come
10:48 10 in contact with this person.

10:48 11 Q. Who within Creve Coeur makes that decision?

10:48 12 A. Generally, if there is not a commander on,
10:48 13 it would be the sergeant, and they would pass it onto
10:48 14 the dispatcher to make contact.

10:48 15 Q. So the dispatcher makes that decision in
10:48 16 conjunction with the sergeant?

10:48 17 MS. OWENS: Objection. Misstates the
10:48 18 testimony.

10:48 19 Q. (By Ms. Merklin von Kaenel) I'm sorry. The
10:48 20 decision is made by the sergeant who then relates it to
10:49 21 the dispatcher to carry out?

10:49 22 A. It may also be a police officer who says:
10:49 23 "Will you contact this police department point-to-point
10:49 24 and advise them."

10:49 25 Q. Is it a changing situation, depending on the

10:49 1 necessity of the action?

10:49 2 A. It could be very fluid, yes.

10:49 3 Q. And some of these situations go very
10:49 4 quickly, don't they?

10:49 5 A. Yes, ma'am.

10:49 6 Q. And I'm going to go to the chief's decision
10:49 7 to terminate Mr. John Doe HM at this point. And,
10:49 8 again, if I'm misstating your testimony, correct me
10:49 9 please.

10:49 10 A. Yes, ma'am.

10:49 11 Q. And your lawyer certainly will. The
10:49 12 decision to terminate Mr. John Doe HM is made -- is a
10:49 13 combination of the chief of police, Mr..Beardslee, and
10:49 14 the city administrative, Mr. Mark Perkins; is that
10:49 15 correct?

10:49 16 A. Yes, ma'am.

10:49 17 Q. And we just briefly spoke about Exhibit No.
10:50 18 24, which I'll tell you, it's also another exhibit
10:50 19 we've used in these depositions, and it is the Creve
10:50 20 Coeur Position Statement.

10:50 21 MS. RANGLES: Is that 29?

10:50 22 Q. (By Ms. Merklin von Kaenel) To the EEOC.
10:50 23 29. I'm sorry. And I'm going to turn to page -- It's
10:50 24 the fourth physical page, but it would be the second
10:50 25 page of the Statement of Position, the first two pages

10:50 1 are a letter, a cover letter. And then we get into the
10:50 2 Statement of Position which starts on the third page of
10:50 3 this exhibit. And then there is the fourth page. And
10:50 4 at the bottom of the fourth page. There is a paragraph
10:50 5 that begins, the last paragraph, partial paragraph,
10:50 6 that starts with: "Upon completion of the
10:50 7 investigation..." Do you see that, sir?

10:50 8 A. Yes, ma'am.

10:50 9 Q. Will you do me a favor. Can you please read
10:50 10 that paragraph?

10:51 11 A. Yes, ma'am. "Upon completion..."

10:51 12 Q. I'm sorry. Read it to yourself.

10:51 13 MS. RANGLES: I object to this line of
10:51 14 questioning on the basis of foundation as he has
10:51 15 already testified he has no input into the preparation
10:51 16 of this material.

10:51 17 Q. (By Ms. Merklin von Kaenel) You may read
10:51 18 it.

10:51 19 A. Yes, ma'am. Yes, ma'am.

10:51 20 Q. And tell me if this is consistent with your
10:51 21 reading of this: It essentially says that Mr. John Doe
10:51 22 HM was terminated for the reasons in that paragraph; is
10:52 23 that right?

10:52 24 A. Yes, ma'am.

10:52 25 Q. And are those reasons consistent with your

10:52 1 understanding of why Mr. John Doe HM was fired?

10:52 2 A. Yes, ma'am.

10:52 3 Q. And one of those reasons being a violation
10:52 4 of conduct unbecoming an officer, which is the Creve
10:52 5 Coeur SOP 121.02?

10:52 6 A. Yes, ma'am.

10:52 7 Q. And that is, 121.02 is a Standard Operating
10:52 8 Procedure for Creve Coeur?

10:52 9 A. Yes, ma'am.

10:52 10 Q. And if you're a police officer for Creve
10:52 11 Coeur, that's a term of your employment, you must
10:52 12 follow that; is that correct?

10:52 13 A. Yes, ma'am.

10:52 14 Q. And SOP 262.02 C-2, carrying an unauthorized
10:52 15 secondary weapon, is that also Creve Coeur Standard
10:52 16 Operating Procedure?

10:52 17 A. Yes, ma'am.

10:52 18 Q. And that is also a term of the police
10:52 19 officer's -- term of his employment with Creve Coeur;
10:52 20 is that correct?

10:52 21 A. Yes, ma'am.

10:52 22 Q. And violations of either of these two
10:52 23 subject police officer to discipline; is that correct?

10:52 24 A. Yes, ma'am.

10:52 25 Q. And is it your understanding that Mr. John

10:53 1 Doe HM, one of the reasons he was terminated was
10:53 2 because he was carrying an unauthorized secondary
10:53 3 weapon?

10:53 4 MS. RANGLES: Objection. No foundation.

10:53 5 Q. (By Ms. Merklin von Kaenel) If it's your
10:53 6 understanding?

10:53 7 A. It is now.

10:53 8 Q. Had you not known that at the time that you
10:53 9 discussed Mr. John Doe's termination?

10:53 10 A. I don't recall that.

10:53 11 Q. But you may have?

10:53 12 A. It may have. But I don't recall it.

10:53 13 Q. Okay. And then another -- The third reason
10:53 14 is given toward the end: "In violation of 121.04
10:53 15 Standard Operating Procedure, unable to physically or
10:53 16 mentally perform duties." Is that also another Creve
10:53 17 Coeur Standard Operating Procedure, 121.04?

10:53 18 A. Yes, ma'am.

10:53 19 Q. And is that also a term of employment for a
10:53 20 Creve Coeur police officer?

10:53 21 A. Yes, ma'am.

10:53 22 Q. And a violation of that Standard Operating
10:53 23 Procedure could subject a police officer of Creve Coeur
10:53 24 to discipline or termination?

10:53 25 A. Yes, ma'am.

10:53 1 Q. And, in fact, any one of these three -- a
10:54 2 violation of any one of these three; 121.02, 262.02
10:54 3 C-2, and 121.04, a violation of which could subject a
10:54 4 Creve Coeur police officer to discipline and/or
10:54 5 termination?

10:54 6 A. Yes, ma'am.

10:54 7 Q. And is it your understanding that in order
10:54 8 to be able to carry a secondary weapon in accordance
10:54 9 with the terms of your employment, a police officer's
10:54 10 employment with Creve Coeur, you must have a weapon
10:54 11 qualified?

10:54 12 A. Approved.

10:54 13 Q. Okay. Is one of the steps getting it
10:54 14 qualified?

10:54 15 A. Yes, ma'am.

10:54 16 Q. And this final step is getting it approved,
10:54 17 is that what you're saying?

10:54 18 A. Yes, ma'am.

10:54 19 Q. And who approves?

10:54 20 A. They qualify through with the range officer.

10:54 21 Q. Uh-huh.

10:54 22 A. And that information is then presented to
10:55 23 the chief, and it's signed off, and there is an
10:55 24 approved list of secondary weapons.

10:55 25 Q. So the ultimate decision maker with respect

10:55 1 to whether an officer can carry a secondary, or off
10:55 2 duty weapon, is with the chief?

10:55 3 A. Yes.

10:55 4 Q. And at that time, on December of 2005, that
10:55 5 would have been Chief Beardslee?

10:55 6 A. Yes, ma'am.

10:55 7 Q. And only if you know: Is it your
10:55 8 understanding that that list doesn't come out until
10:55 9 January -- wouldn't have come out until January of 2006
10:55 10 for that year?

10:55 11 A. At the -- At least, yes.

10:55 12 Q. And what do you mean by "at least"?

10:55 13 A. Well, sometime in January, maybe even the
10:55 14 first of February, but, generally speaking, it's in
10:55 15 January.

10:55 16 Q. So if you -- And, generally, if you know
10:55 17 this, if you were an officer, and you wanted to qualify
10:55 18 with a weapon in 2005, you probably couldn't get
10:56 19 approval until sometime between mid January to February
10:56 20 of the next --

10:56 21 A. Correct.

10:56 22 Q. -- of the following year?

10:56 23 A. You would -- If you were a new officer from
10:56 24 another department, and you wanted to carry a secondary
10:56 25 weapon, I believe you're allowed to go through

10:56 1 qualification on that, and then there would be an
10:56 2 approval, and it would be added to that list.

10:56 3 Q. Okay. With respect -- Are you familiar with
10:56 4 Post?

10:56 5 A. Yes, ma'am.

10:56 6 Q. And in order to -- if you're a police
10:56 7 officer, does Post qualify you as a police officer?

10:56 8 A. Certifies you.

10:56 9 Q. Certifies. And how do you become certified
10:56 10 with Post?

10:56 11 A. Completion of Academy, and receiving a
10:57 12 certification through the Academy to the state.

10:57 13 Q. And the decision to certify or decertify is
10:57 14 with Post; is that correct?

10:57 15 A. It's my understanding, yes.

10:57 16 Q. Are you familiar with the Creve Coeur
10:57 17 Post -- excuse the double use of the word -- posting
10:57 18 with respect to Post in relation to Mr. John Doe HM;
10:57 19 are you familiar with, that Creve Coeur had given Post
10:57 20 some information with respect to Mr. John Doe HM?

10:57 21 A. No.

10:57 22 MS. MERKLIN VON KAENEL: I have nothing
10:58 23 further. Thank you very much.

10:58 24 CROSS-EXAMINATION

10:58 25 QUESTIONS BY MS. OWENS:

10:58 1 Q. I just have one question for you.

10:58 2 A. Yes, ma'am.

10:58 3 Q. If the St. Louis County Police report
10:58 4 indicated that Mr. John Doe HM on 12/31, at the time
10:58 5 that he was pulled over was carrying on his person a
10:58 6 Walther PPK, and that Walther PPK was not on the prior
10:58 7 year's approved list, and the approved list for the
10:58 8 2005 qualification time period had not yet come out,
10:58 9 was he authorized to carry that weapon?

10:59 10 A. No, ma'am.

10:59 11 MS. OWENS: I have nothing further.

10:59 12 REDIRECT EXAMINATION

10:59 13 QUESTIONS BY MS. RANGLES:

10:59 14 Q. I have some follow-up with regard to some of
10:59 15 the things that Lorena was asking you.

10:59 16 A. Yes.

10:59 17 Q. First of all, are you familiar with the
10:59 18 parking lot in question at Tesson Ferry Road?

10:59 19 A. No.

10:59 20 Q. No. So the only thing you were basing your
10:59 21 testimony on is a sketch that was made during the
10:59 22 course of a deposition; correct?

10:59 23 A. What's in front of me, yes, ma'am.

10:59 24 Q. So you have no idea as to how wide that
10:59 25 parking lot is; is that correct?

10:59 1 A. No, ma'am.

10:59 2 Q. And you have no idea how long it is?

10:59 3 A. No, ma'am.

10:59 4 Q. And you have no idea as to where the parking
10:59 5 spaces are in relation to any building that's there?

10:59 6 A. No, ma'am.

10:59 7 Q. And you have no idea as to where the trees
10:59 8 are located in that parking lot?

10:59 9 A. No, ma'am.

10:59 10 Q. And you have no idea where vehicles may have
10:59 11 been parked in that parking lot?

10:59 12 A. No, ma'am.

10:59 13 Q. You have no idea whether or not that parking
10:59 14 lot is wide enough to do a U-turn in?

10:59 15 A. No, ma'am.

11:00 16 Q. And you have no idea whether there is a
11:00 17 second way to get in or out of that parking lot based
11:00 18 upon that drawing; is that correct?

11:00 19 A. Is there a what? I'm sorry.

11:00 20 Q. A second way to get in or out of that
11:00 21 parking lot based on that drawing?

11:00 22 A. No, ma'am.

11:00 23 Q. So the only thing you could discern from
11:00 24 that drawing was what had been said at a previous
11:00 25 deposition concerning how the cars were brought in;

11:00 1 correct?

11:00 2 A. The only thing I could determine is what's
11:00 3 in front of me, ma'am.

11:00 4 Q. Okay. Now, let's look for a minute at
11:00 5 what's in front of you and make some assumptions. And
11:00 6 then based on those assumptions, I'll ask you some
11:00 7 testimony about them. First, let's assume that because
11:00 8 the testimony has been that John Doe HM was on the
11:00 9 telephone with his wife when he saw Officer Thomeczek
11:00 10 see him before Officer Thomeczek turned on his sirens
11:00 11 or lights. Okay?

11:00 12 A. All right.

11:00 13 Q. And at the point in time that he saw him, he
11:00 14 asked his wife if she had called the police. Okay.

11:01 15 A. Okay.

11:01 16 Q. And at that moment, he pulled up from the
11:01 17 stoplight that was there by the First Bank, and it
11:01 18 immediately made a left into the parking lot, and at
11:01 19 this point in time, let's assume that Officer Thomeczek
11:01 20 had not turned on his lights or siren. Okay. And then
11:01 21 he made a left-hand turn into the parking lot. Let's
11:01 22 also assume over on the right is a closed -- it used to
11:01 23 be a Wendy's, it's now a Taco Bell. At that point in
11:01 24 time, it was closed. And going left was where the
11:01 25 building would be that had no construction and no

11:01 1 impairment to the parking lot. Can you make that
11:01 2 assumption?

11:01 3 A. Okay.

11:01 4 Q. And that there are speed bumps along, that
11:01 5 you have to pull into, and cross over as you turn into
11:01 6 the left, one of those big wide ones. Can we make that
11:01 7 assumption as well?

11:01 8 A. Okay.

11:01 9 Q. If you make that assumption, that there is a
11:01 10 wide speed bump, and a tree that you have to pull into
11:01 11 and go around, would it make more sense to pull into a
11:02 12 parking space to the left than it would to the right?

11:02 13 A. May I ask a question?

11:02 14 Q. Sure.

11:02 15 A. What time did this occur?

11:02 16 Q. At 1:00 o'clock in the afternoon.

11:02 17 A. And he pulled in, and you're saying there
11:02 18 are speed bumps here, or here?

11:02 19 Q. Yes. There is a wide speed bump.

11:02 20 A. Right here?

11:02 21 Q. Right to the -- The entrance is actually a
11:02 22 road between two parking lots.

11:02 23 MS. OWENS: I'm going to object. It assumes
11:02 24 facts not in evidence. So based on her assumption.

11:02 25 Q. (By Ms. Randles) Based upon the assumption

11:02 1 that that entrance is a road between two parking lots.

11:02 2 A. Okay.

11:02 3 Q. And if you were to continue straight on down
11:02 4 that road, this may make -- Are you familiar with the
11:02 5 road between two parking lots, and you pull straight on
11:02 6 down, and there is a like a LaPetite Academy, or a
11:02 7 child daycare center back there, right on Tesson Ferry?

11:03 8 A. I'm not familiar with it.

11:03 9 Q. Okay. Let's make the assumption that Mr.
11:03 10 John Doe HM pulls in, goes to the left, across the
11:03 11 speed bump, around the tree, and then is pulling toward
11:03 12 a parking spot. Assume then that Officer Thomeczek
11:03 13 pulls in after him, but instead of following him, takes
11:03 14 a move to cut him off. In that situation, would that
11:03 15 be considered appropriate tactical moves for Officer
11:03 16 Thomeczek to make?

11:03 17 A. To cut him off?

11:03 18 Q. Yes.

11:03 19 A. I wouldn't have done it.

11:03 20 Q. And why not?

11:03 21 A. I'd still want to remain behind the subject.

11:03 22 Q. And in the situation where the police
11:03 23 officer is following the subject, isn't it the police
11:03 24 officer's duty to remain behind the vehicle; is that
11:03 25 correct?

11:03 1 A. It depends upon the totality of the
11:03 2 circumstances.

11:03 3 Q. Okay.

11:03 4 A. And if there -- Well, if there was a reason
11:04 5 to believe that this person could have harmed anyone in
11:04 6 here, then the officer could have taken more aggressive
11:04 7 action. Based upon what you said, I would want to
11:04 8 remain behind the vehicle.

11:04 9 Q. Okay. And, in fact, failing to maintain
11:04 10 your distance behind the vehicle, where it was possible
11:04 11 to do so, could cause an officer to be disciplined,
11:04 12 could it not, or reprimanded?

11:04 13 A. Say that again.

11:04 14 Q. If an officer engages in activity that is
11:04 15 unsafe for that officer in a stop, then that officer
11:04 16 could be reprimanded for that activity; correct?

11:04 17 MS. MERKLIN VON KAENEL: I'm going to object
11:04 18 only insofar as you know with respect to your rules;
11:04 19 Creve Coeur rules.

11:04 20 A. If the officer did something that was
11:04 21 harmful to --

11:04 22 Q. (By Ms. Randles) Where he didn't maintain
11:04 23 his own safety during the course of the stop, where it
11:05 24 was possible to do so, then that officer could be
11:05 25 reprimanded; correct?

11:05 1 A. He could be.

11:05 2 Q. Now, the safety alert, you indicated the
11:05 3 safety alert is supposed to be internal only; is that
11:05 4 correct?

11:05 5 A. Yes, ma'am.

11:05 6 Q. Do you know if it was disseminated to the
11:05 7 Olivette Police Department?

11:05 8 A. No, I don't.

11:05 9 Q. If it were disseminated to the Olivette
11:05 10 Police Department, would that be a violation of
11:05 11 Standard Operating Procedures concerning a safety alert
11:05 12 for an employee?

11:05 13 A. I believe that was with respect to the city
11:05 14 of Creve Coeur. If there was any other information
11:05 15 passed onto the other department, it would have to do
11:05 16 with the safety of the officers of that police
11:05 17 department.

11:05 18 Q. Okay. Now, do you have relatives on the
11:05 19 force at Arnold?

11:05 20 A. Do I?

11:05 21 Q. Yes.

11:06 22 A. No.

11:06 23 Q. Do you have relatives in other area police
11:06 24 forces?

11:06 25 A. I have -- I think he's still there. I have

11:06 1 a cousin that is a St. Louis City police officer.

11:06 2 Q. Do you know if he knows what happened with
11:06 3 regard to John Doe HM on the night of 12/31 of '05?

11:06 4 A. No.

11:06 5 Q. You don't know?

11:06 6 A. I don't know.

11:06 7 Q. Now, if someone -- If your cousin informally
11:06 8 approached you about John Doe HM and his termination,
11:06 9 what would you tell him?

11:06 10 A. Nothing.

11:06 11 Q. Okay. If he said, "Hey, should we hire this
11:06 12 guy?" What would you tell him?

11:06 13 A. Nothing.

11:06 14 Q. And why is that?

11:06 15 A. It's not my position to tell him anything.

11:06 16 Q. Is there a particular procedure, a policy,
11:06 17 that Creve Coeur has with regard to --

11:06 18 A. If you had -- If someone was applying with
11:06 19 whatever department, normal practices are that you
11:06 20 would contact the chief of police of that department to
11:06 21 obtain information from that person.

11:07 22 Q. And do you ever receive information from
11:07 23 another department concerning an officer that does not
11:07 24 come directly from the police chief, that is informal
11:07 25 in nature?

11:07 1 A. Do you hear things, you mean?

11:07 2 Q. Sure.

11:07 3 A. Yes.

11:07 4 Q. And with regard to John Doe HM since 12/31
11:07 5 of '05, have you heard anything negative concerning
11:07 6 him?

11:07 7 A. No.

11:07 8 Q. To your knowledge, has anyone from Creve
11:07 9 Coeur imparted negative information concerning John Doe
11:07 10 HM?

11:07 11 A. To another agency?

11:07 12 Q. Yes.

11:07 13 A. No.

11:07 14 Q. And your knowledge would just be based
11:07 15 upon -- you've never transmitted negative information
11:07 16 concerning John Doe HM; correct?

11:07 17 A. Correct.

11:07 18 Q. I'm going to hand you what has previously
11:07 19 been marked as Exhibit 30. Have you seen that document
11:07 20 before?

11:08 21 A. No.

11:08 22 Q. Did you have any input into any of the
11:08 23 information that was transmitted to Post?

11:08 24 A. No.

11:08 25 Q. When you were in charge of investigations,

11:08 1 you used to do some of the background checks to some of
11:08 2 the individuals who were applying to the police force;
11:08 3 didn't you?

11:08 4 A. Yes.

11:08 5 Q. Did you check Post when they were doing
11:08 6 those applications?

11:08 7 A. If they -- Yeah, to see if there was any
11:08 8 kind of violations.

11:08 9 Q. Okay. Now, if you had received that Post
11:08 10 concerning any applicant to Creve Coeur Police
11:08 11 Department, would you have considered him an
11:08 12 appropriate applicant?

11:08 13 A. It would bring into question. I'd have to
11:08 14 question it.

11:08 15 Q. Okay. And if you had -- When you filled a
11:09 16 job, approximately --

11:09 17 Is there an average number of applications you
11:09 18 receive for any of the positions that you fill as
11:09 19 police officer?

11:09 20 A. It depends upon -- It depends upon the time,
11:09 21 and it's been anywhere between 3 to 4, to tens.

11:09 22 Q. If you were in a situation where you were
11:09 23 looking at having tens of applications, would the
11:09 24 information found on Post on this application
11:09 25 automatically disqualify the individual from your

11:09 1 consideration?

11:09 2 A. It would bring bearing upon it.

11:09 3 Q. Okay. Would you go ahead and interview that
11:09 4 individual if you received that information from Post?

11:09 5 A. Again -- Well, depending upon how many
11:09 6 applicants.

11:09 7 Q. Assuming that you had tens of applicants for
11:09 8 the position that was being filled.

11:09 9 A. In my opinion, I probably wouldn't consider
11:10 10 it.

11:10 11 Q. Okay. And if you had 3 or 4 applicants for
11:10 12 a single position, would that information on Post
11:10 13 disqualify the applicant?

11:10 14 A. Again, it would be considered. You would
11:10 15 want to know why.

11:10 16 Q. Uh-huh. Okay.

11:10 17 A. I would.

11:10 18 Q. Is that one of those automatic culls? You
11:10 19 know, occasionally you see something on an application,
11:10 20 hup, can't have this guy, automatic cull; is that
11:10 21 information something that you would consider an
11:10 22 automatic cull?

11:10 23 A. I would want to call and find out more.

11:10 24 MS. OWENS: Are you saying cull or call?

11:10 25 MS. RANGLES: Cull, c-u-l-l.

11:10 1 MS. OWENS: He said call. We need to
11:10 2 clarify that then. Can you tell me what you meant by
11:10 3 cull?

11:10 4 Q. (By Ms. Randles) Sure. Some Human
11:10 5 Resources people have what the call the C pile, and
11:10 6 that is when they get applications in, those that go to
11:10 7 the C pile are the culls, the ones that they know they
11:10 8 aren't going to do anything with. If you had this Post
11:10 9 information come in, in a situation where you had
11:10 10 three, maybe four applicants for a single job, would
11:10 11 that Post information move the resume' to the automatic
11:11 12 cull pile for you?

11:11 13 A. Again, I would want to know more
11:11 14 information. Not necessarily.

11:11 15 Q. Okay.

11:11 16 A. I think we try to give everyone an equal
11:11 17 opportunity to try to determine the circumstances
11:11 18 involving everything.

11:11 19 Q. Okay. Considering -- Well, never mind.
11:11 20 With regard to Crystal Marshall, Miss Von Kaenel asked
11:11 21 you: "So the real problem was that Crystal Marshall
11:11 22 talked about people, correct?" Do you recall that
11:11 23 question?

11:11 24 A. Among others, yes, ma'am.

11:11 25 Q. Now, isn't it true that one of the issues

11:11 1 that you had was the problem that she would impact
11:11 2 information not knowing whether it was true?

11:11 3 A. Yes, ma'am.

11:11 4 Q. With regard to report writing, if an officer
11:11 5 draws his weapon, is that supposed to appear in the
11:12 6 report?

11:12 7 A. On the Creve Coeur Police Department, if an
11:12 8 officer draws the weapon, and they point the weapon at
11:12 9 someone on the Creve Coeur Police Department, that's
11:12 10 considered Use of Force Report.

11:12 11 Q. Okay. And so is that a separate report, or
11:12 12 is that part of the report of the incident?

11:12 13 A. It's a separate report.

11:12 14 Q. And in part of the incident report, does it
11:12 15 also -- is it also supposed to clarify that I drew my
11:12 16 weapon, or a weapon was drawn?

11:12 17 A. Yes.

11:12 18 Q. So it should appear in two places if a
11:12 19 weapon was actually drawn; on a Force Report, and on
11:12 20 the actual Incident Report for Creve Coeur Police
11:12 21 Department?

11:12 22 A. Yes, ma'am.

11:12 23 Q. Now, Miss Von Kaenel also asked you about
11:13 24 SOPs; SOP 262.02, SOP 121.01, and SOP 121.04,
11:13 25 concerning -- that were found in Exhibit 29, which was

11:13 1 the Position Statement for Creve Coeur. Now, as I
11:13 2 understand it, you did not have any part of conducting
11:13 3 any investigation into whether or not John Doe HM, for
11:13 4 example, engaged in contact unbecoming an officer that
11:13 5 night; correct?

11:13 6 A. Correct.

11:13 7 Q. And you did not conduct any investigation
11:13 8 into whether or not John Doe HM was mentally able to
11:13 9 perform his duties; is that correct?

11:13 10 A. Correct.

11:13 11 Q. And you also did not conduct the
11:13 12 investigation into whether or not John Doe HM was
11:13 13 carrying an unauthorized secondary weapon; correct?

11:13 14 A. Correct.

11:13 15 Q. In fact, you had no independent knowledge of
11:13 16 any of those things; correct?

11:13 17 A. Correct.

11:14 18 MS. RANGLES: I have no further questions.

11:14 19 RECROSS-EXAMINATION

11:14 20 QUESTIONS BY MS. MERKLIN VON KAENEL:

11:14 21 Q. I have one question.

11:14 22 A. Yes, ma'am.

11:14 23 Q. We talked about the totality of
11:14 24 circumstances. And with respect to every situation a
11:14 25 police officer encounters, what the police officer does

11:14 1 or doesn't do is based on the totality of
11:14 2 circumstances, is that correct?

11:14 3 A. Yes, ma'am.

11:14 4 Q. And each situation that a police officer
11:14 5 encounters is fluid with its own -- it can change at
11:14 6 any moment; is that right?

11:14 7 A. Yes, ma'am.

11:14 8 Q. Is there -- and Miss Randles gave you a
11:14 9 couple of facts with respect to that Exhibit No. 47,
11:14 10 that drawing. And I gave you that facts about that
11:14 11 exhibit as well. Is there a situation where you would
11:14 12 want to contain, or stop some person exiting, if you
11:15 13 know the person is suicidal, has two weapons, is
11:15 14 driving a vehicle, and is a trained police officer? Is
11:15 15 there a situation where you might want to contain him
11:15 16 from going anywhere else?

11:15 17 A. If I were considering the totality of the
11:15 18 circumstances, the officer is looking at the area that
11:15 19 they're in, looking at people that could be in the
11:15 20 area, could be exposed to this, also looking at
11:15 21 expressions, body language, even in a vehicle, taking
11:15 22 all that into consideration, and trying to make a very
11:15 23 quick decision, split second decision, what would be
11:15 24 the best way to stop or alter the person's further
11:15 25 actions.

11:15 1 MS. MERKLIN VON KAENEL: Okay. Thanks.

11:16 2 Nothing further.

11:16 3 RE CROSS-EXAMINATION

11:16 4 QUESTIONS BY MS. OWENS:

11:16 5 Q. I have one quick question. Miss Randles
11:16 6 asked you some questions with regard to the Post
11:16 7 notice, and how that would affect your decision making
11:16 8 with regard to hiring. Do you have any knowledge, how
11:16 9 that would affect any other jurisdiction's decision
11:16 10 making with regard to hiring?

11:16 11 A. No, ma'am.

11:16 12 Q. And are you aware of any, or have you been
11:16 13 notified of any positions at other jurisdictions that
11:16 14 Mr. John Doe HM has applied for?

11:16 15 A. No, ma'am.

11:16 16 MS. OWENS: Nothing further.

11:16 17 MS. RANGLES: I have nothing further.

11:16 18 MS. OWENS: We'll read.

19

20

21

22

23

24

25

Boyd-Gwinn Reporting
Registered Professional Reporters
P. O. Box 190601
St. Louis, MO 63119
314.918.8265 * FAX 314.918.0429

March 12, 2009

Stacie A. Owens, Attorney at Law
Sandberg Phoenix & von Gontard, L.L.C.
One City Centre
Suite 1500
Saint Louis, Missouri 63101

In re: JOHN DOE HM, an individual vs. CITY OF CREVE
COEUR, MISSOURI, and JOHN BEARDSLEE, Individually and in
his Official Capacity as Police Chief in the Creve Coeur
Police Department, et al.

Dear Ms. Owens:

Please find enclosed a copy of Captain Dennis A.
Spoerry's deposition given on March 4, 2009. Please have
Captain Spoerry read your copy of the deposition, and
indicate any changes and/or corrections on the enclosed
correction sheet, the page number, how it should read, and
the reason for the change; i.e., typographical error,
misspelled.

Also please find enclosed the original signature page
to be signed before a Notary Public. Any used correction
sheets should also be signed.

Please return the original notarized signature page
to Rebecca M. Randles, Attorney at Law, with a copy to the
attorneys of record, and to this office, as well as each
correction sheet completed, as soon as possible.

Kind regards,

Catherine E. Boyd, CCR, RPR, IL-CSR

cc: Rebecca M. Randles, Attorney at Law
Lorena V. Merklin von Kaenel, Attorney at Law

1 State of Missouri)
2 County of St. Louis) SS
3

4 SIGNATURE OF CAPTAIN DENNIS A. SPOERRY

5 I, CAPTAIN DENNIS A. SPOERRY do hereby certify:
6 That I have read the foregoing deposition;
7 That I have made such changes in form and/or
8 substance within the deposition as might be necessary
9 to render the same true and correct;
10 That having made such changes thereon, I hereby
11 subscribe my name to the deposition.
12 I declare under penalty of perjury that the
13 foregoing is true and correct.
14 Executed this _____ day of
15 _____, 2009.

16 _____
17 CAPTAIN DENNIS A. SPOERRY

18 My Commission Expires:

19 Notary Public:

20 Signature page sent to: Stacie A. Owens, Attorney at
21 Law

22 REPORTER: Catherine E. Boyd, CCR, RPR, IL-CSR

23 DEPONENT: CAPTAIN DENNIS A. SPOERRY
24 JOHN DOE HM, an individual vs. CITY OF CREVE COEUR,
25 MISSOURI, and JOHN BEARDSLEE, Individually and in his
Official Capacity as Police Chief in the Creve Coeur
Police Department, et al.
Cause No. 4:07CV00946 ERW

March 4, 2009

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CAPTAIN DENNIS A. SPOERRY

DEPOSITION CORRECTION SHEET

IN RE: JOHN DOE HM, an individual vs. CITY OF CREVE
COEUR, MISSOURI, and JOHN BEARDSLEE, Individually and
in his Official Capacity as Police Chief in the Creve
Coeur Police Department, et al.

Upon reading the deposition and before subscribing
thereto the deponent indicated the following changes
should be made:

Page Line Should read:

REASON ASSIGNED FOR CHANGE:

Page Line Should read:

REASON ASSIGNED FOR CHANGE:

Page Line Should read:

REASON ASSIGNED FOR CHANGE:

Page Line Should read:

REASON ASSIGNED FOR CHANGE:
Page Line Should read:

REASON ASSIGNED FOR CHANGE:

Page Line Should read:

REASON ASSIGNED FOR CHANGE:
Page Line Should read:

REASON ASSIGNED FOR CHANGE:

Page Line Should read:

REASON ASSIGNED FOR CHANGE:

CAPTAIN DENNIS A. SPOERRY

1 STATE OF MISSOURI)
2) SS
3 COUNTY OF ST. LOUIS)

4 I, Catherine E. Boyd, a Certified Court Reporter,
5 within and for the State of Missouri, #0233, Registered
6 Professional Reporter, and Certified Shorthand Reporter
7 within and for the State of Illinois, do hereby certify
8 that pursuant to notice between counsel, there came
9 before me at the offices of Sandberg, Phoenix & von
10 Gontard, One City centre, Saint Louis, Missouri,

11 CAPTAIN DENNIS A. SPOERRY

12 a witness of lawful age, who was by me first duly sworn
13 to testify to the whole truth touching and concerning
14 the matters in controversy therein; that the witness
15 was examined, and said examination was reduced to
16 shorthand by me on that day, between the aforesaid, and
17 later transcribed into computer-assisted transcription
18 under my supervision, that it is a true record of the
19 testimony given by the witness, and now is herewith
20 returned.

21 I further certify that I am neither attorney, nor
22 counsel for, nor related to, nor employed by any of the
23 parties to the action in which this deposition is
24 taken; and further, that I am not a relative or
25 employee of any attorney, or employed by the parties
hereto, or financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand on
March 12, 2009.

Catherine E. Boyd, CCR # 233, RPR
Certified Court Reporter within and for the
State of Missouri.

<p>#</p> <p>#0233 [2] - 3:16, 89:4</p>	<p>87:20, 89:17</p> <p>21 [2] - 59:18, 60:10</p> <p>233 [1] - 89:21</p> <p>24 [3] - 2:8, 35:16, 63:18</p> <p>262.02 [3] - 65:14, 67:2, 82:24</p> <p>270 [1] - 59:23</p> <p>29 [4] - 2:10, 63:21, 63:23, 82:25</p>	<p>8</p> <p>80s [1] - 8:19</p> <p>82 [1] - 2:10</p> <p>83 [1] - 2:5</p> <p>85 [1] - 2:6</p>	<p>afternoon [1] - 73:16</p> <p>afterwards [1] - 4:3</p> <p>age [2] - 4:8, 89:8</p> <p>agencies [1] - 40:17</p> <p>agency [4] - 26:12, 40:14, 62:9, 78:11</p> <p>aggressive [3] - 53:15, 57:17, 75:6</p> <p>ago [1] - 8:19</p> <p>AGREED [1] - 4:1</p> <p>agreement [1] - 39:16</p> <p>ahead [5] - 4:19, 5:14, 27:17, 29:21, 80:3</p> <p>aide [4] - 16:8, 16:10, 16:17, 17:21</p> <p>al [7] - 1:10, 2:20, 3:11, 3:20, 86:11, 87:19, 88:4</p> <p>alert [22] - 34:19, 34:24, 35:6, 36:10, 36:12, 36:15, 36:20, 36:25, 37:6, 37:8, 38:1, 40:13, 40:15, 51:25, 52:4, 52:15, 52:17, 62:7, 62:8, 76:2, 76:3, 76:11</p> <p>alerts [1] - 62:3</p> <p>allegation [1] - 33:3</p> <p>allegations [5] - 10:19, 29:21, 32:17, 32:23, 33:9</p> <p>alleged [5] - 37:1, 38:11, 52:25, 53:6, 57:7</p> <p>allegedly [1] - 31:6</p> <p>allowed [1] - 68:25</p> <p>almost [1] - 59:1</p> <p>alone [2] - 49:16, 53:1</p> <p>alter [1] - 84:24</p> <p>Amanda [1] - 42:15</p> <p>AND [1] - 4:1</p> <p>answer [8] - 5:17, 5:25, 28:23, 35:13, 39:7, 44:25, 49:8, 54:1</p> <p>answering [1] - 6:5</p> <p>Anthony's [1] - 60:3</p> <p>anticipated [1] - 38:1</p> <p>anyway [1] - 43:2</p> <p>apart [1] - 35:17</p> <p>apologize [1] - 54:7</p> <p>appear [2] - 82:5, 82:18</p> <p>applicant [3] - 79:10, 79:12, 80:13</p> <p>applicants [4] - 80:6, 80:7, 80:11, 81:10</p> <p>application [3] -</p>	<p>18:2, 79:24, 80:19</p> <p>applications [4] - 79:6, 79:17, 79:23, 81:6</p> <p>applied [2] - 18:9, 85:14</p> <p>apply [1] - 50:14</p> <p>applying [2] - 77:18, 79:2</p> <p>appreciate [1] - 6:5</p> <p>approach [4] - 37:8, 37:12, 37:17, 58:8</p> <p>Approach [1] - 37:16</p> <p>approached [2] - 38:2, 77:8</p> <p>approaching [2] - 37:22, 61:1</p> <p>appropriate [12] - 36:23, 37:12, 37:21, 39:5, 39:19, 57:8, 57:11, 57:25, 58:2, 61:21, 74:15, 79:12</p> <p>appropriately [1] - 38:17</p> <p>appropriateness [1] - 55:25</p> <p>approval [2] - 68:19, 69:2</p> <p>Approved [1] - 67:12</p> <p>approved [4] - 67:16, 67:24, 70:7</p> <p>approves [1] - 67:19</p> <p>area [9] - 7:8, 17:8, 17:9, 21:11, 37:17, 59:17, 76:23, 84:18, 84:20</p> <p>arising [1] - 46:23</p> <p>armed [7] - 37:11, 37:14, 37:19, 37:23, 52:24, 53:7, 55:21</p> <p>Arnold [2] - 5:3, 76:19</p> <p>aside [3] - 46:23, 47:8, 47:11</p> <p>Aside [1] - 16:5</p> <p>assault [2] - 33:19, 34:16</p> <p>assessment [3] - 39:18, 39:23, 39:24</p> <p>assigned [3] - 10:17, 33:14, 41:18</p> <p>ASSIGNED [8] - 88:9, 88:11, 88:13, 88:15, 88:16, 88:18, 88:20, 88:22</p> <p>assignment [1] - 10:18</p> <p>assist [2] - 16:11, 19:17</p> <p>Assist [1] - 11:20</p> <p>assisted [1] - 89:11</p>
<p>1</p> <p>'05 [16] - 21:10, 42:2, 43:4, 46:14, 46:18, 46:23, 46:25, 47:3, 47:5, 47:8, 47:16, 47:19, 51:1, 58:25, 77:3, 78:5</p> <p>'06 [1] - 21:10</p> <p>'97 [1] - 12:17</p> <p>'98 [1] - 12:17</p>	<p>3</p> <p>3 [2] - 79:21, 80:11</p> <p>30 [2] - 2:9, 78:19</p> <p>314.918.0429 [2] - 1:21, 86:3</p> <p>314.918.8265 [2] - 1:21, 86:3</p> <p>31st [3] - 25:7, 45:14, 48:21</p> <p>34th [1] - 2:13</p> <p>35 [3] - 2:8, 56:5, 57:1</p>	<p>9</p> <p>9:11 [2] - 3:14, 4:5</p>	<p>A</p> <p>a.m [1] - 4:5</p> <p>ability [2] - 6:23, 22:22</p> <p>able [5] - 15:19, 20:17, 53:13, 67:8, 83:8</p> <p>Absolutely [1] - 4:22</p> <p>abuse [2] - 36:4, 46:3</p> <p>Academy [12] - 7:20, 7:22, 7:23, 7:25, 8:11, 8:13, 56:8, 56:17, 58:20, 69:11, 69:12, 74:6</p> <p>accordance [1] - 67:8</p> <p>accurate [2] - 19:16, 27:23</p> <p>action [5] - 53:16, 63:1, 75:7, 89:14, 89:16</p> <p>actions [2] - 20:22, 84:25</p> <p>activity [2] - 75:14, 75:16</p> <p>actual [2] - 17:7, 82:20</p> <p>added [1] - 69:2</p> <p>admin [3] - 16:8, 16:10, 17:21</p> <p>Admin [1] - 8:22</p> <p>Administrative [3] - 9:25, 10:22, 19:24</p> <p>administrative [4] - 9:1, 16:17, 21:8, 63:14</p> <p>administrator [3] - 49:18, 49:19, 49:21</p> <p>advise [1] - 62:24</p> <p>advised [2] - 30:14, 38:6</p> <p>advising [1] - 30:17</p> <p>Affairs [1] - 10:16</p> <p>affect [2] - 85:7, 85:9</p> <p>affected [1] - 62:9</p> <p>aforesaid [1] - 89:10</p>	<p>11:16 [1] - 3:14</p> <p>12 [2] - 86:4, 89:17</p> <p>12/31 [18] - 30:20, 42:2, 43:4, 46:14, 46:18, 46:23, 46:25, 47:3, 47:5, 47:8, 47:16, 47:19, 48:17, 51:1, 58:25, 70:4, 77:3, 78:4</p> <p>12/31/05 [1] - 40:20</p> <p>121.01 [1] - 82:24</p> <p>121.02 [3] - 65:5, 65:7, 67:2</p> <p>121.04 [4] - 66:14, 66:17, 67:3, 82:24</p> <p>1500 [2] - 2:17, 86:7</p> <p>15th [2] - 3:15, 10:3</p> <p>190601 [2] - 1:20, 86:2</p> <p>1974 [2] - 7:24, 13:5</p> <p>1997 [1] - 13:7</p> <p>1999 [1] - 9:20</p> <p>1:00 [1] - 73:16</p>
<p>2</p> <p>2001 [3] - 9:20, 11:16, 12:6</p> <p>2004 [3] - 10:24, 11:8, 54:11</p> <p>2005 [14] - 10:4, 10:21, 10:24, 11:1, 11:8, 11:9, 25:2, 25:7, 45:15, 54:11, 68:4, 68:18, 70:8</p> <p>2006 [4] - 10:5, 10:6, 10:21, 68:9</p> <p>2008 [3] - 10:3, 10:6, 11:1</p> <p>2009 [7] - 1:16, 3:13, 86:4, 86:13, 87:10,</p>	<p>4</p> <p>4 [7] - 1:16, 2:1, 3:13, 79:21, 80:11, 86:13, 87:20</p> <p>406 [1] - 2:13</p> <p>41 [1] - 2:21</p> <p>47 [3] - 2:9, 59:11, 84:9</p> <p>4:07CV00946 [3] - 1:5, 3:6, 87:19</p>	<p>5</p> <p>50 [1] - 2:2</p> <p>59 [1] - 2:9</p>	<p>afternoon [1] - 73:16</p> <p>afterwards [1] - 4:3</p> <p>age [2] - 4:8, 89:8</p> <p>agencies [1] - 40:17</p> <p>agency [4] - 26:12, 40:14, 62:9, 78:11</p> <p>aggressive [3] - 53:15, 57:17, 75:6</p> <p>ago [1] - 8:19</p> <p>AGREED [1] - 4:1</p> <p>agreement [1] - 39:16</p> <p>ahead [5] - 4:19, 5:14, 27:17, 29:21, 80:3</p> <p>aide [4] - 16:8, 16:10, 16:17, 17:21</p> <p>al [7] - 1:10, 2:20, 3:11, 3:20, 86:11, 87:19, 88:4</p> <p>alert [22] - 34:19, 34:24, 35:6, 36:10, 36:12, 36:15, 36:20, 36:25, 37:6, 37:8, 38:1, 40:13, 40:15, 51:25, 52:4, 52:15, 52:17, 62:7, 62:8, 76:2, 76:3, 76:11</p> <p>alerts [1] - 62:3</p> <p>allegation [1] - 33:3</p> <p>allegations [5] - 10:19, 29:21, 32:17, 32:23, 33:9</p> <p>alleged [5] - 37:1, 38:11, 52:25, 53:6, 57:7</p> <p>allegedly [1] - 31:6</p> <p>allowed [1] - 68:25</p> <p>almost [1] - 59:1</p> <p>alone [2] - 49:16, 53:1</p> <p>alter [1] - 84:24</p> <p>Amanda [1] - 42:15</p> <p>AND [1] - 4:1</p> <p>answer [8] - 5:17, 5:25, 28:23, 35:13, 39:7, 44:25, 49:8, 54:1</p> <p>answering [1] - 6:5</p> <p>Anthony's [1] - 60:3</p> <p>anticipated [1] - 38:1</p> <p>anyway [1] - 43:2</p> <p>apart [1] - 35:17</p> <p>apologize [1] - 54:7</p> <p>appear [2] - 82:5, 82:18</p> <p>applicant [3] - 79:10, 79:12, 80:13</p> <p>applicants [4] - 80:6, 80:7, 80:11, 81:10</p> <p>application [3] -</p>	<p>18:2, 79:24, 80:19</p> <p>applications [4] - 79:6, 79:17, 79:23, 81:6</p> <p>applied [2] - 18:9, 85:14</p> <p>apply [1] - 50:14</p> <p>applying [2] - 77:18, 79:2</p> <p>appreciate [1] - 6:5</p> <p>approach [4] - 37:8, 37:12, 37:17, 58:8</p> <p>Approach [1] - 37:16</p> <p>approached [2] - 38:2, 77:8</p> <p>approaching [2] - 37:22, 61:1</p> <p>appropriate [12] - 36:23, 37:12, 37:21, 39:5, 39:19, 57:8, 57:11, 57:25, 58:2, 61:21, 74:15, 79:12</p> <p>appropriately [1] - 38:17</p> <p>appropriateness [1] - 55:25</p> <p>approval [2] - 68:19, 69:2</p> <p>Approved [1] - 67:12</p> <p>approved [4] - 67:16, 67:24, 70:7</p> <p>approves [1] - 67:19</p> <p>area [9] - 7:8, 17:8, 17:9, 21:11, 37:17, 59:17, 76:23, 84:18, 84:20</p> <p>arising [1] - 46:23</p> <p>armed [7] - 37:11, 37:14, 37:19, 37:23, 52:24, 53:7, 55:21</p> <p>Arnold [2] - 5:3, 76:19</p> <p>aside [3] - 46:23, 47:8, 47:11</p> <p>Aside [1] - 16:5</p> <p>assault [2] - 33:19, 34:16</p> <p>assessment [3] - 39:18, 39:23, 39:24</p> <p>assigned [3] - 10:17, 33:14, 41:18</p> <p>ASSIGNED [8] - 88:9, 88:11, 88:13, 88:15, 88:16, 88:18, 88:20, 88:22</p> <p>assignment [1] - 10:18</p> <p>assist [2] - 16:11, 19:17</p> <p>Assist [1] - 11:20</p> <p>assisted [1] - 89:11</p>
<p>3</p> <p>3 [2] - 79:21, 80:11</p> <p>30 [2] - 2:9, 78:19</p> <p>314.918.0429 [2] - 1:21, 86:3</p> <p>314.918.8265 [2] - 1:21, 86:3</p> <p>31st [3] - 25:7, 45:14, 48:21</p> <p>34th [1] - 2:13</p> <p>35 [3] - 2:8, 56:5, 57:1</p>	<p>4</p> <p>4 [7] - 1:16, 2:1, 3:13, 79:21, 80:11, 86:13, 87:20</p> <p>406 [1] - 2:13</p> <p>41 [1] - 2:21</p> <p>47 [3] - 2:9, 59:11, 84:9</p> <p>4:07CV00946 [3] - 1:5, 3:6, 87:19</p>	<p>6</p> <p>623 [1] - 2:13</p> <p>63101 [2] - 2:18, 86:8</p> <p>63105 [1] - 2:22</p> <p>63119 [2] - 1:20, 86:2</p> <p>64111 [1] - 2:14</p> <p>69 [1] - 2:3</p>	<p>7</p> <p>70 [1] - 2:4</p> <p>78 [1] - 2:9</p>	<p>8</p> <p>80s [1] - 8:19</p> <p>82 [1] - 2:10</p> <p>83 [1] - 2:5</p> <p>85 [1] - 2:6</p>
<p>4</p> <p>4 [7] - 1:16, 2:1, 3:13, 79:21, 80:11, 86:13, 87:20</p> <p>406 [1] - 2:13</p> <p>41 [1] - 2:21</p> <p>47 [3] - 2:9, 59:11, 84:9</p> <p>4:07CV00946 [3] - 1:5, 3:6, 87:19</p>	<p>5</p> <p>50 [1] - 2:2</p> <p>59 [1] - 2:9</p>	<p>8</p> <p>80s [1] - 8:19</p> <p>82 [1] - 2:10</p> <p>83 [1] - 2:5</p> <p>85 [1] - 2:6</p>	<p>afternoon [1] - 73:16</p> <p>afterwards [1] - 4:3</p> <p>age [2] - 4:8, 89:8</p> <p>agencies [1] - 40:17</p> <p>agency [4] - 26:12, 40:14, 62:9, 78:11</p> <p>aggressive [3] - 53:15, 57:17, 75:6</p> <p>ago [1] - 8:19</p> <p>AGREED [1] - 4:1</p> <p>agreement [1] - 39:16</p> <p>ahead [5] - 4:19, 5:14, 27:17, 29:21, 80:3</p> <p>aide [4] - 16:8, 16:10, 16:17, 17:21</p> <p>al [7] - 1:10, 2:20, 3:11, 3:20, 86:11, 87:19, 88:4</p> <p>alert [22] - 34:19, 34:24, 35:6, 36:10, 36:12, 36:15, 36:20, 36:25, 37:6, 37:8, 38:1, 40:13, 40:15, 51:25, 52:4, 52:15, 52:17, 62:7, 62:8, 76:2, 76:3, 76:11</p> <p>alerts [1] - 62:3</p> <p>allegation [1] - 33:3</p> <p>allegations [5] - 10:19, 29:21, 32:17, 32:23, 33:9</p> <p>alleged [5] - 37:1, 38:11, 52:25, 53:6, 57:7</p> <p>allegedly [1] - 31:6</p> <p>allowed [1] - 68:25</p> <p>almost [1] - 59:1</p> <p>alone [2] - 49:16, 53:1</p> <p>alter [1] - 84:24</p> <p>Amanda [1] - 42:15</p> <p>AND [1] - 4:1</p> <p>answer [8] - 5:17, 5:25, 28:23, 35:13, 39:7, 44:25, 49:8, 54:1</p> <p>answering [1] - 6:5</p> <p>Anthony's [1] - 60:3</p> <p>anticipated [1] - 38:1</p> <p>anyway [1] - 43:2</p> <p>apart [1] - 35:17</p> <p>apologize [1] - 54:7</p> <p>appear [2] - 82:5, 82:18</p> <p>applicant [3] - 79:10, 79:12, 80:13</p> <p>applicants [4] - 80:6, 80:7, 80:11, 81:10</p> <p>application [3] -</p>	<p>18:2, 79:24, 80:19</p> <p>applications [4] - 79:6, 79:17, 79:23, 81:6</p> <p>applied [2] - 18:9, 85:14</p> <p>apply [1] - 50:14</p> <p>applying [2] - 77:18, 79:2</p> <p>appreciate [1] - 6:5</p> <p>approach [4] - 37:8, 37:12, 37:17, 58:8</p> <p>Approach [1] - 37:16</p> <p>approached [2] - 38:2, 77:8</p> <p>approaching [2] - 37:22, 61:1</p> <p>appropriate [12] - 36:23, 37:12, 37:21, 39:5, 39:19, 57:8, 57:11, 57:25, 58:2, 61:21, 74:15, 79:12</p> <p>appropriately [1] - 38:17</p> <p>appropriateness [1] - 55:25</p> <p>approval [2] - 68:19, 69:2</p> <p>Approved [1] - 67:12</p> <p>approved [4] - 67:16, 67:24, 70:7</p> <p>approves [1] - 67:19</p> <p>area [9] - 7:8, 17:8, 17:9, 21:11, 37:17, 59:17, 76:23, 84:18, 84:20</p> <p>arising [1] - 46:23</p> <p>armed [7] - 37:11, 37:14, 37:19, 37:23, 52:24, 53:7, 55:21</p> <p>Arnold [2] - 5:3, 76:19</p> <p>aside [3] - 46:23, 47:8, 47:11</p> <p>Aside [1] - 16:5</p> <p>assault [2] - 33:19, 34:16</p> <p>assessment [3] - 39:18, 39:23, 39:24</p> <p>assigned [3] - 10:17, 33:14, 41:18</p> <p>ASSIGNED [8] - 88:9, 88:11, 88:13, 88:15, 88:16, 88:18, 88:20, 88:22</p> <p>assignment [1] - 10:18</p> <p>assist [2] - 16:11, 19:17</p> <p>Assist [1] - 11:20</p> <p>assisted [1] - 89:11</p>
<p>5</p> <p>50 [1] - 2:2</p> <p>59 [1] - 2:9</p>	<p>6</p> <p>623 [1] - 2:13</p> <p>63101 [2] - 2:18, 86:8</p> <p>63105 [1] - 2:22</p> <p>63119 [2] - 1:20, 86:2</p> <p>64111 [1] - 2:14</p> <p>69 [1] - 2:3</p>	<p>7</p> <p>70 [1] - 2:4</p> <p>78 [1] - 2:9</p>	<p>8</p> <p>80s [1] - 8:19</p> <p>82 [1] - 2:10</p> <p>83 [1] - 2:5</p> <p>85 [1] - 2:6</p>	<p>afternoon [1] - 73:16</p> <p>afterwards [1] - 4:3</p> <p>age [2] - 4:8, 89:8</p> <p>agencies [1] - 40:17</p> <p>agency [4] - 26:12, 40:14, 62:9, 78:11</p> <p>aggressive [3] - 53:15, 57:17, 75:6</p> <p>ago [1] - 8:19</p> <p>AGREED [1] - 4:1</p> <p>agreement [1] - 39:16</p> <p>ahead [5] - 4:19, 5:14, 27:17, 29:21, 80:3</p> <p>aide [4] - 16:8, 16:10, 16:17, 17:21</p> <p>al [7] - 1:10, 2:20, 3:11, 3:20, 86:11, 87:19, 88:4</p> <p>alert [22] - 34:19, 34:24, 35:6, 36:10, 36:12, 36:15, 36:20, 36:25, 37:6, 37:8, 38:1, 40:13, 40:15, 51:25, 52:4, 52:15, 52:17, 62:7, 62:8, 76:2, 76:3, 76:11</p> <p>alerts [1] - 62:3</p> <p>allegation [1] - 33:3</p> <p>allegations [5] - 10:19, 29:21, 32:17, 32:23, 33:9</p> <p>alleged</</p>

<p>assisting [1] - 19:18 associate [1] - 23:16 assume [8] - 5:10, 12:20, 17:3, 30:17, 56:3, 72:7, 72:19, 72:22 Assume [3] - 38:24, 45:2, 74:12 assumes [4] - 44:24, 49:7, 61:7, 73:23 Assumes [2] - 39:6, 42:4 Assuming [2] - 44:20, 80:7 assuming [1] - 38:15 assumption [6] - 73:2, 73:7, 73:9, 73:24, 73:25, 74:9 assumptions [2] - 72:5, 72:6 attempted [1] - 32:3 attended [1] - 7:3 Attorney [9] - 2:14, 2:18, 2:22, 3:1, 86:6, 86:19, 86:25, 86:25, 87:14 attorney [2] - 89:13, 89:15 attorneys [2] - 46:9, 86:20 attributes [1] - 19:7 authorized [1] - 70:9 automatic [4] - 80:18, 80:20, 80:22, 81:11 automatically [1] - 79:25 available [3] - 15:14, 15:18, 31:2 average [1] - 79:17 aware [20] - 6:21, 20:16, 20:21, 20:22, 22:16, 22:23, 23:1, 23:4, 24:19, 24:20, 25:1, 33:24, 35:21, 36:2, 43:6, 46:5, 47:22, 52:9, 53:5, 85:12</p> <p>B</p> <p>background [2] - 18:16, 79:1 bad [2] - 7:11, 20:15 Bailey [1] - 12:1 Bank [1] - 72:17 bank [1] - 60:7 Based [3] - 58:4, 73:25, 75:7 based [16] - 29:17, 36:11, 39:9, 39:13,</p>	<p>39:18, 39:19, 39:21, 49:12, 58:13, 59:5, 71:17, 71:21, 72:6, 73:24, 78:14, 84:1 basing [2] - 39:24, 70:20 basis [3] - 15:21, 36:24, 64:14 Beardslee [19] - 2:16, 29:3, 29:5, 29:17, 29:22, 29:24, 30:3, 30:6, 32:14, 34:6, 34:9, 34:17, 34:25, 36:19, 39:19, 47:20, 52:11, 63:13, 68:5 BEARDSLEE [6] - 1:8, 3:8, 3:19, 86:10, 87:18, 88:3 bearing [1] - 80:2 became [7] - 13:5, 19:1, 19:23, 20:1, 30:23, 33:24, 55:6 become [9] - 18:2, 22:17, 24:5, 24:20, 25:1, 46:5, 53:14, 58:12, 69:9 begins [1] - 64:5 BEHALF [1] - 1:15 behalf [1] - 4:8 behind [6] - 58:7, 58:21, 74:21, 74:24, 75:8, 75:10 Bell [1] - 72:23 below [2] - 14:10, 14:22 Below [1] - 14:25 best [2] - 58:21, 84:24 better [3] - 6:18, 58:9, 61:11 Between [1] - 10:6 between [13] - 3:13, 4:1, 21:10, 22:21, 54:11, 59:13, 68:19, 73:22, 74:1, 74:5, 79:21, 89:5, 89:10 big [1] - 73:6 bit [2] - 50:22, 55:24 blinds [1] - 6:16 body [1] - 84:21 bombing [1] - 9:22 bottom [2] - 61:14, 64:4 bouncing [1] - 6:15 BOX [1] - 1:20 Box [1] - 86:2 Boyd [6] - 4:2, 86:1, 86:24, 87:16, 89:3, 89:21 BOYD [2] - 1:19,</p>	<p>3:15 Boyd-Gwinn [1] - 86:1 BOYD-GWINN [1] - 1:19 break [5] - 5:15, 6:13, 6:14, 48:8, 48:10 brief [1] - 48:8 briefly [3] - 13:17, 59:16, 63:17 bring [3] - 19:8, 79:13, 80:2 bringing [2] - 34:13, 34:16 broadcast [2] - 41:3, 43:15 Bromley [1] - 42:16 brought [1] - 71:25 Brown [1] - 2:12 Building [1] - 2:21 building [2] - 71:5, 72:25 bulletin [1] - 43:11 bump [3] - 73:10, 73:19, 74:11 bumps [3] - 61:23, 73:4, 73:18 BY [12] - 2:2, 2:3, 2:4, 2:5, 2:6, 2:7, 4:11, 50:7, 69:25, 70:13, 83:20, 85:4</p> <p>C</p> <p>C-2 [2] - 65:14, 67:3 c-u-l-l [1] - 80:25 capacity [1] - 46:25 Capacity [6] - 1:9, 3:9, 3:20, 86:10, 87:18, 88:4 captain [1] - 57:2 Captain [13] - 5:4, 5:7, 10:9, 11:25, 12:1, 13:25, 14:9, 14:20, 15:15, 86:13, 86:14 CAPTAIN [10] - 1:15, 3:13, 4:7, 87:4, 87:5, 87:12, 87:17, 88:1, 88:24, 89:7 captains [1] - 13:21 car [6] - 19:14, 57:16, 60:17, 60:18, 60:25 care [1] - 8:25 career [1] - 56:10 carry [5] - 62:21, 67:8, 68:1, 68:24, 70:9 carrying [4] - 65:14, 66:2, 70:5, 83:13</p>	<p>cars [3] - 61:6, 61:10, 71:25 Catherine [5] - 4:2, 86:24, 87:16, 89:3, 89:21 CATHERINE [1] - 3:15 caused [2] - 9:23, 32:12 caution [1] - 37:16 cautious [2] - 38:9, 58:12 cc [1] - 86:25 CCR [3] - 86:24, 87:16, 89:21 center [1] - 74:7 Center [1] - 24:24 Central [1] - 2:21 centre [1] - 89:6 Centre [3] - 2:17, 3:15, 86:7 certain [2] - 3:17, 52:11 certainly [1] - 63:11 certification [1] - 69:12 Certified [6] - 3:16, 3:17, 4:3, 89:3, 89:4, 89:21 certified [1] - 69:9 Certifies [2] - 69:8, 69:9 certify [4] - 69:13, 87:5, 89:5, 89:13 chain [3] - 13:17, 16:3, 54:12 change [3] - 38:16, 84:5, 86:15 CHANGE [8] - 88:9, 88:11, 88:13, 88:15, 88:16, 88:18, 88:20, 88:22 changed [1] - 42:20 changes [4] - 86:14, 87:6, 87:7, 88:6 changing [1] - 62:25 charge [2] - 40:22, 78:25 check [1] - 79:5 checks [2] - 18:17, 79:1 Chief [29] - 1:9, 2:16, 2:24, 3:9, 3:20, 13:25, 29:2, 29:5, 29:16, 29:22, 29:24, 30:2, 30:6, 30:14, 32:14, 34:6, 34:8, 34:17, 34:25, 36:19, 39:18, 47:19, 50:11, 52:11, 68:5, 86:10, 87:18, 88:4</p>	<p>chief [18] - 13:20, 28:18, 28:20, 30:17, 30:25, 33:6, 33:7, 33:13, 36:2, 39:13, 39:22, 39:25, 49:11, 63:13, 67:23, 68:2, 77:20, 77:24 chiefs [4] - 39:22, 49:5, 49:15, 63:6 child [2] - 22:19, 74:7 childhood [4] - 33:18, 34:16, 36:3, 46:3 chitchatted [1] - 21:16 circled [1] - 60:6 circulated [1] - 44:13 circumstance [1] - 58:3 circumstances [9] - 39:10, 57:24, 57:25, 59:7, 75:2, 81:17, 83:24, 84:2, 84:18 CITY [6] - 1:7, 3:7, 3:19, 86:9, 87:17, 88:3 City [7] - 2:14, 2:17, 3:15, 7:22, 77:1, 86:7, 89:6 city [5] - 49:18, 49:19, 49:21, 63:14, 76:13 civilian [1] - 15:9 civilians [3] - 16:5, 16:6, 43:24 clarify [2] - 81:2, 82:15 Clayton [1] - 2:22 clerks [2] - 8:25, 15:8 close [5] - 6:16, 11:6, 56:5, 56:6, 56:7 closed [3] - 7:9, 72:22, 72:24 COEUR [6] - 1:7, 3:7, 3:19, 86:10, 87:17, 88:3 Coeur [56] - 1:9, 2:10, 2:15, 3:10, 3:20, 8:4, 8:5, 8:8, 8:21, 16:2, 20:19, 25:20, 26:11, 28:3, 28:16, 31:23, 34:20, 38:12, 39:15, 43:19, 43:20, 45:4, 45:10, 52:3, 52:5, 52:8, 54:5, 59:1, 59:13, 62:7, 62:11, 63:20, 65:5, 65:8, 65:11, 65:15, 65:19, 66:17, 66:20, 66:23,</p>
--	--	--	--	--

<p>3:21, 4:2 defendants [2] - 50:9, 50:10 degree [3] - 7:13, 7:17, 8:7 DENNIS [10] - 1:15, 3:13, 4:7, 87:4, 87:5, 87:12, 87:17, 88:1, 88:24, 89:7 Dennis [2] - 5:3, 86:13 department [36] - 8:1, 13:18, 15:17, 16:7, 19:8, 21:3, 22:10, 22:12, 22:15, 22:18, 22:20, 23:9, 23:13, 24:12, 24:13, 25:19, 26:15, 28:5, 32:14, 34:14, 36:13, 43:16, 43:18, 43:19, 44:21, 52:22, 52:23, 53:4, 56:22, 62:23, 68:24, 76:15, 76:17, 77:19, 77:20, 77:23 Department [25] - 1:10, 2:15, 2:20, 3:10, 3:20, 8:4, 16:2, 24:23, 26:11, 28:17, 38:12, 45:4, 52:3, 52:5, 52:8, 59:2, 76:7, 76:10, 79:11, 82:7, 82:9, 82:21, 86:11, 87:19, 88:4 departments [1] - 22:22 depicted [3] - 59:17, 59:22, 60:13 DEPONENT [1] - 87:17 deponent [1] - 88:6 deposes [1] - 4:9 deposition [17] - 4:2, 4:5, 4:20, 5:6, 6:12, 6:22, 6:23, 59:12, 70:22, 71:25, 86:13, 86:14, 87:5, 87:6, 87:8, 88:5, 89:14 DEPOSITION [3] - 1:15, 3:13, 88:2 depositions [5] - 4:18, 5:10, 5:15, 59:13, 63:19 Deputy [3] - 11:12, 11:13, 11:18 Des [1] - 43:20 describe [2] - 40:12, 59:16 description [1] - 61:21 designated [3] - 60:3, 60:19, 61:13</p>	<p>Destruction [1] - 9:12 detained [2] - 24:22, 26:19 detective [1] - 13:12 determine [3] - 43:2, 72:2, 81:17 determined [1] - 32:12 developed [1] - 56:23 development [1] - 56:14 difference [1] - 38:5 different [1] - 22:18 DIRECT [2] - 2:1, 4:10 direct [1] - 15:2 directly [7] - 15:20, 16:8, 20:20, 31:9, 31:20, 52:14, 77:24 discern [1] - 71:23 disciplinary [1] - 44:11 discipline [3] - 65:23, 66:24, 67:4 disciplined [2] - 45:9, 75:11 disclosed [1] - 35:19 disclosures [1] - 35:21 discuss [5] - 22:24, 23:2, 29:24, 30:6, 48:17 discussed [5] - 19:6, 32:8, 34:4, 46:20, 66:9 discussing [1] - 19:10 discussion [3] - 30:25, 34:1, 47:6 discussions [1] - 47:9 dismissal [1] - 34:14 dispatch [1] - 54:16 dispatcher [17] - 12:22, 12:23, 12:25, 13:2, 21:2, 21:4, 21:13, 41:4, 41:10, 41:12, 42:10, 54:12, 55:10, 55:11, 62:14, 62:15, 62:21 dispatchers [12] - 8:24, 8:25, 21:5, 21:16, 40:23, 41:6, 41:13, 41:18, 41:21, 42:9, 42:11, 43:25 Dispatchers [1] - 15:8 displaying [2] - 37:18, 37:20</p>	<p>disqualify [2] - 79:25, 80:13 disseminated [2] - 76:6, 76:9 distance [1] - 75:10 DISTRICT [4] - 1:1, 1:1, 3:1, 3:2 District [2] - 3:18, 3:18 DIVISION [2] - 1:2, 3:2 Division [1] - 3:18 document [2] - 42:24, 78:19 DOE [6] - 1:3, 3:4, 3:19, 86:9, 87:17, 88:3 Doe [103] - 2:24, 4:15, 4:17, 4:25, 10:19, 12:3, 17:22, 17:25, 19:10, 19:12, 20:1, 20:9, 22:4, 22:8, 22:9, 22:24, 23:3, 24:21, 25:10, 25:13, 25:16, 26:1, 26:7, 26:9, 26:19, 26:22, 26:25, 27:2, 28:1, 28:16, 29:6, 29:14, 30:22, 31:6, 31:17, 32:2, 32:8, 32:10, 32:15, 33:14, 33:18, 33:22, 34:13, 34:20, 35:8, 35:18, 35:22, 36:3, 36:7, 36:16, 37:3, 37:9, 38:2, 38:8, 38:17, 38:21, 39:5, 39:14, 39:17, 40:5, 40:19, 43:3, 44:23, 45:7, 45:11, 45:16, 45:19, 45:23, 46:2, 46:6, 46:13, 46:17, 46:25, 47:10, 47:24, 48:5, 48:17, 48:25, 49:2, 49:16, 58:24, 60:16, 60:19, 61:12, 63:7, 63:12, 64:21, 65:1, 66:1, 69:18, 69:20, 70:4, 72:8, 74:10, 77:3, 77:8, 78:4, 78:9, 78:16, 83:3, 83:8, 83:12, 85:14 Doe's [3] - 27:24, 51:7, 66:9 done [1] - 74:19 door [1] - 61:3 double [1] - 69:17 down [9] - 5:19, 6:1, 27:21, 35:18, 50:16, 55:7, 60:9, 74:3, 74:6 draw [5] - 20:17, 37:21, 38:2, 57:8,</p>	<p>57:25 drawing [7] - 55:25, 56:1, 60:10, 71:18, 71:21, 71:24, 84:10 drawn [2] - 82:16, 82:19 draws [2] - 82:5, 82:8 drew [1] - 82:15 drinks [1] - 23:10 driver [1] - 58:14 driving [1] - 84:14 duly [1] - 89:8 During [1] - 12:2 during [9] - 5:16, 6:12, 21:7, 26:7, 42:11, 45:23, 70:21, 75:23 duties [9] - 9:7, 10:12, 11:18, 12:3, 15:2, 15:7, 15:11, 66:16, 83:9 duty [4] - 16:10, 41:5, 68:2, 74:24</p>	<p>employment [5] - 65:11, 65:19, 66:19, 67:9, 67:10 enclosed [3] - 86:13, 86:14, 86:17 encounters [2] - 83:25, 84:5 end [2] - 49:15, 66:14 ended [1] - 39:18 engage [1] - 24:3 engaged [1] - 83:4 engages [2] - 57:15, 75:14 entrance [2] - 73:21, 74:1 equal [1] - 81:16 equipment [4] - 9:2, 16:13, 16:15, 17:17 error [1] - 86:15 ERW [3] - 1:5, 3:6, 87:19 especially [3] - 37:6, 37:7, 49:10 essential [1] - 29:21 essentially [2] - 53:15, 64:21 established [1] - 25:6 et [7] - 1:10, 2:20, 3:10, 3:20, 86:11, 87:19, 88:4 evaluation [3] - 21:21, 49:5, 55:2 Eve [1] - 25:7 evening [1] - 41:5 event [2] - 32:12, 35:7 events [5] - 24:21, 30:20, 30:21, 48:17, 51:2 evidence [7] - 39:7, 42:5, 44:25, 49:8, 61:8, 61:20, 73:24 ex [5] - 31:19, 31:21, 38:21, 38:25, 53:22 ex-employees [1] - 53:22 ex-wife [4] - 31:19, 31:21, 38:21, 38:25 Exactly [1] - 34:3 EXAMINATION [12] - 2:1, 2:2, 2:3, 2:4, 2:5, 2:6, 4:10, 50:6, 69:24, 70:12, 83:19, 85:3 examination [1] - 89:10 examined [3] - 3:13, 4:8, 89:10 example [1] - 83:4 exchange [1] - 20:4</p>
--	--	---	--	---

<p>excuse [1] - 69:17 Executed [1] - 87:9 exemplary [1] - 20:22 Exhibit [10] - 2:8, 2:9, 2:9, 2:10, 35:16, 59:11, 63:17, 78:19, 82:25, 84:9 exhibit [3] - 63:18, 64:3, 84:11 exhibited [1] - 35:19 exhibits [1] - 59:11 Exhibits [1] - 3:1 existed [1] - 39:3 existence [1] - 48:13 exit [1] - 32:15 exiting [1] - 84:12 exits [1] - 58:18 expected [1] - 24:7 experience [2] - 19:15, 54:23 expertise [1] - 56:23 Expires [1] - 87:13 Explain [1] - 52:22 explained [1] - 54:22 exposed [1] - 84:20 expressed [1] - 51:6 expressions [1] - 84:21 expressly [1] - 4:4</p>	<p>20:10, 35:17 favor [1] - 64:9 FAX [2] - 1:21, 86:3 FB [1] - 60:6 February [2] - 68:14, 68:19 felt [2] - 32:10, 49:10 Ferry [3] - 59:18, 70:18, 74:7 file [1] - 17:5 filed [2] - 24:15, 46:9 fill [1] - 79:18 filled [2] - 79:15, 80:8 final [1] - 67:16 financially [1] - 89:16 finish [1] - 19:2 finished [1] - 48:7 firearms [1] - 37:2 fired [1] - 65:1 First [3] - 70:17, 72:7, 72:17 first [6] - 4:25, 22:12, 48:12, 63:25, 68:14, 89:8 fits [1] - 38:20 Five [1] - 12:16 five [1] - 12:16 Floor [1] - 3:15 fluid [2] - 63:2, 84:5 follow [3] - 48:12, 65:12, 70:14 follow-up [2] - 48:12, 70:14 Following [1] - 7:3 following [7] - 34:20, 48:22, 60:18, 68:22, 74:13, 74:23, 88:6 FOR [8] - 88:9, 88:11, 88:13, 88:15, 88:16, 88:18, 88:20, 88:22 Force [2] - 82:10, 82:19 force [7] - 17:23, 18:1, 20:2, 42:3, 53:15, 76:19, 79:2 forceful [1] - 53:16 forces [1] - 76:24 foregoing [2] - 87:5, 87:9 forenoon [2] - 3:14, 3:14 form [1] - 87:6 former [1] - 53:21 foundation [2] - 64:14, 66:4 Four [1] - 12:16 four [1] - 81:10 fourth [3] - 63:24,</p>	<p>64:3, 64:4 frame [8] - 10:23, 12:2, 12:18, 21:7, 26:7, 42:12, 45:15, 45:24 friend [1] - 23:14 friendly [1] - 23:13 friends [1] - 23:7 front [4] - 21:23, 70:23, 72:3, 72:5 fulfill [1] - 9:8 full [4] - 5:2, 41:14, 41:15, 41:16 functions [2] - 15:16, 17:1 Funkhouser [2] - 14:3, 14:20</p>	<p>hand [9] - 6:9, 35:15, 58:19, 59:9, 59:10, 60:10, 72:21, 78:18, 89:17 happy [1] - 23:10 harm [2] - 29:8, 36:8 harmed [1] - 75:5 harmful [1] - 75:21 hear [1] - 78:1 heard [1] - 78:5 help [1] - 9:6 helps [1] - 16:12 hen [2] - 55:7, 55:9 hereby [3] - 87:5, 87:7, 89:5 HEREBY [1] - 4:1 hereto [1] - 89:16 hereunto [1] - 89:17 herewith [1] - 89:12 Hi [1] - 50:8 high [2] - 7:1, 7:3 Highland [1] - 24:24 Hillsboro [1] - 7:5 himself [4] - 29:9, 33:8, 33:14, 36:8 hire [1] - 77:11 hired [2] - 19:4, 19:7 hiring [4] - 18:5, 19:5, 85:8, 85:10 history [1] - 7:1 HM [105] - 1:3, 2:24, 3:4, 3:19, 4:15, 4:20, 10:19, 12:3, 17:22, 17:25, 19:10, 19:12, 20:1, 20:9, 22:4, 22:8, 22:9, 22:24, 23:3, 24:21, 25:10, 25:13, 25:16, 26:1, 26:7, 26:9, 26:19, 26:22, 26:25, 27:2, 28:1, 28:16, 29:6, 29:14, 30:22, 31:6, 31:17, 32:2, 32:9, 32:10, 32:15, 33:15, 33:18, 33:22, 34:13, 34:20, 35:8, 35:19, 35:22, 36:3, 36:7, 36:16, 37:3, 37:9, 38:3, 38:8, 38:17, 39:5, 39:14, 39:17, 40:5, 40:19, 43:3, 44:23, 45:7, 45:11, 45:16, 45:19, 45:23, 46:2, 46:13, 46:17, 47:24, 48:5, 48:17, 48:25, 49:2, 49:16, 51:7, 58:24, 60:16, 60:19, 61:12, 63:7, 63:12, 64:22, 65:1, 66:1, 69:18, 69:20, 70:4, 72:8, 74:10, 77:3, 77:8,</p>	<p>78:4, 78:10, 78:16, 83:3, 83:8, 83:12, 85:14, 86:9, 87:17, 88:3 HM's [5] - 4:17, 38:21, 46:6, 46:25, 47:10 Hodak [4] - 10:9, 13:25, 14:9, 14:20 Hospital [1] - 60:4 hospital [2] - 29:7, 29:14 hot [1] - 6:17 hour [1] - 23:10 hours [1] - 3:13 Human [1] - 81:4 hup [1] - 80:20 hypothetical [1] - 61:19</p>
<p>F</p>				<p>I</p>
<p>F-u-n-k-h-o-u-s-e-r [1] - 14:4 faced [1] - 58:15 facing [2] - 57:16, 58:17 fact [11] - 22:11, 33:23, 37:1, 39:3, 53:1, 57:12, 61:5, 61:10, 67:1, 75:9, 83:15 facts [12] - 38:11, 39:6, 42:4, 44:24, 49:7, 56:2, 57:12, 61:7, 61:19, 73:24, 84:9, 84:10 failing [1] - 75:9 fairly [1] - 9:17 fall [7] - 14:8, 14:19, 16:3, 16:23, 17:8, 17:9 falls [2] - 15:20, 16:8 false [1] - 55:14 familiar [9] - 39:12, 54:20, 59:20, 69:3, 69:16, 69:19, 70:17, 74:4, 74:8 far [4] - 4:16, 17:16,</p>		<p>gear [1] - 61:2 general [1] - 40:16 Generally [2] - 17:20, 62:12 generally [5] - 53:21, 58:8, 59:23, 68:14, 68:16 generated [2] - 42:24, 52:7 given [10] - 5:10, 26:13, 26:14, 41:24, 57:11, 57:23, 66:14, 69:19, 86:13, 89:12 glasses [1] - 6:15 Glenn [1] - 2:24 Gontard [4] - 2:16, 3:15, 86:6, 89:6 gossip [1] - 22:1 Government [1] - 2:21 graduate [2] - 7:13, 7:17 graduated [1] - 7:1 greet [1] - 20:4 grievance [1] - 24:18 group [2] - 15:3, 50:13 guess [3] - 16:21, 24:11, 39:9 guidepost [1] - 59:6 guy [2] - 77:12, 80:20 Gwinn [1] - 86:1 GWINN [1] - 1:19</p>		<p>i.e [1] - 86:15 idea [7] - 70:24, 71:2, 71:4, 71:7, 71:10, 71:13, 71:16 IL [2] - 86:24, 87:16 IL-CSR [2] - 86:24, 87:16 Illinois [2] - 3:17, 89:5 immediacy [1] - 29:15 immediately [3] - 57:20, 58:11, 72:18 impact [1] - 82:1 impairment [1] - 73:1 impart [2] - 34:17, 56:17 imparted [2] - 30:3, 78:9 importance [1] - 30:7 important [1] - 28:4 improper [1] - 61:19 IN [4] - 1:1, 3:1, 88:3, 89:17 in-car [1] - 19:14 incident [10] - 46:24, 47:9, 47:11, 47:14, 47:16, 49:13, 49:25, 51:10, 82:12, 82:14 Incident [1] - 82:20 include [5] - 9:4, 35:20, 50:10, 61:19, 61:20 incredible [1] - 54:25 independent [4] - 38:11, 40:2, 53:23, 83:15</p>
		<p>G</p>		
		<p>H</p>		
		<p>habits [1] - 54:20 Hahn [1] - 15:22 hallway [1] - 20:3</p>		

<p>indicate [1] - 86:14 indicated [13] - 21:7, 27:13, 30:2, 31:17, 32:2, 32:16, 34:15, 38:25, 39:2, 48:16, 70:4, 76:2, 88:6 indicates [1] - 35:18 Indicating [1] - 60:8 indication [1] - 35:5 indirect [1] - 53:17 individual [15] - 1:4, 3:4, 3:19, 37:11, 37:19, 37:22, 44:8, 44:10, 45:9, 53:11, 79:25, 80:4, 86:9, 87:17, 88:3 Individually [6] - 1:8, 3:8, 3:20, 86:10, 87:18, 88:3 individuals [2] - 15:3, 79:2 informal [1] - 77:24 informally [1] - 77:7 information [46] - 21:23, 25:18, 25:24, 26:10, 26:13, 27:25, 28:4, 29:22, 29:25, 30:3, 30:8, 35:19, 35:22, 35:23, 38:23, 39:21, 40:6, 43:24, 44:14, 44:15, 45:16, 45:19, 45:22, 46:2, 47:18, 49:12, 55:12, 55:15, 67:22, 69:20, 76:14, 77:21, 77:22, 78:9, 78:15, 78:23, 79:24, 80:4, 80:12, 80:21, 81:9, 81:11, 81:14, 82:2 informed [1] - 47:21 ingress [1] - 61:22 inhibit [1] - 6:23 initially [1] - 48:14 initials [1] - 4:20 input [4] - 19:4, 46:8, 64:15, 78:22 inservice [1] - 56:11 inside [1] - 58:10 insofar [1] - 75:18 instead [2] - 5:18, 74:13 instructor [1] - 9:16 intentions [1] - 53:7 interaction [1] - 20:2 interactions [1] - 54:14 interested [1] - 89:16 Internal [1] - 10:16 internal [2] - 52:5, 76:3 interview [2] - 18:13,</p>	<p>80:3 interviewed [1] - 18:14 investigate [1] - 32:17 investigating [2] - 10:19, 28:5 investigation [8] - 32:22, 33:5, 33:8, 38:11, 39:11, 83:3, 83:7, 83:12 investigation.. [1] - 64:7 investigations [6] - 10:13, 10:14, 10:15, 10:16, 32:25, 78:25 Investigations [1] - 10:25 investigative [2] - 10:8, 13:14 involve [3] - 25:19, 26:11, 28:2 involved [7] - 9:9, 22:8, 24:21, 28:15, 30:23, 37:2, 52:15 involving [3] - 50:1, 50:3, 81:18 IS [1] - 4:1 issuance [2] - 34:23, 37:5 issue [3] - 9:18, 22:18, 36:20 issued [7] - 34:19, 36:13, 36:16, 44:23, 45:6, 45:11, 52:1 issues [5] - 21:19, 22:21, 27:14, 45:23, 81:25 issuing [1] - 52:17 IT [5] - 4:1, 9:4, 16:18, 16:19, 16:20 itself [3] - 50:11, 51:11, 58:16</p>	<p>26:19, 26:22, 26:25, 27:2, 27:24, 28:1, 28:16, 29:6, 29:14, 30:22, 31:6, 31:17, 32:2, 32:8, 32:10, 32:15, 33:14, 33:18, 33:22, 34:13, 34:20, 35:8, 35:18, 35:22, 36:3, 36:7, 36:16, 37:3, 37:9, 38:2, 38:8, 38:17, 38:21, 39:5, 39:14, 39:17, 40:5, 40:19, 43:3, 44:23, 45:6, 45:11, 45:16, 45:19, 45:22, 46:2, 46:6, 46:13, 46:17, 46:25, 47:10, 47:24, 48:5, 48:17, 48:25, 49:2, 49:16, 51:7, 58:24, 60:16, 60:19, 61:11, 63:7, 63:12, 64:21, 65:1, 65:25, 66:9, 69:18, 69:20, 70:4, 72:8, 74:10, 77:3, 77:8, 78:4, 78:9, 78:16, 83:3, 83:8, 83:12, 85:14 JOHN [12] - 1:3, 1:7, 3:4, 3:8, 3:19, 3:19, 86:9, 86:10, 87:17, 87:18, 88:3, 88:3 Judicial [1] - 3:18 jumping [1] - 54:7 jumpy [1] - 50:22 jurisdiction's [1] - 85:9 jurisdictions [1] - 85:13 Justice [1] - 7:18</p>	<p>keeping [1] - 16:18 Keeping [1] - 16:20 kept [5] - 16:21, 16:25, 17:3, 28:14, 44:15 kicked [1] - 9:20 Kind [1] - 86:22 kind [11] - 5:14, 16:14, 16:25, 24:16, 28:13, 40:3, 43:11, 45:17, 45:20, 56:13, 79:8 knowing [1] - 82:2 knowledge [15] - 31:8, 38:10, 38:14, 40:9, 52:4, 52:7, 52:10, 54:25, 55:13, 56:18, 57:14, 78:8, 78:14, 83:15, 85:8 known [11] - 21:25, 22:11, 30:9, 37:22, 50:9, 55:20, 57:6, 57:13, 58:24, 59:18, 66:8 knows [1] - 77:2 Koenig [1] - 42:13</p>	<p>Lee [1] - 50:11 left [12] - 24:11, 24:13, 42:3, 60:2, 60:10, 61:24, 72:18, 72:21, 72:24, 73:6, 73:12, 74:10 left-hand [2] - 60:10, 72:21 less [1] - 58:17 letter [2] - 64:1 liar [1] - 55:14 lieutenant [3] - 14:3, 14:5, 14:10 Lieutenant [2] - 14:3, 14:19 lights [2] - 72:11, 72:20 Likewise [1] - 15:18 limit [1] - 6:22 line [4] - 14:7, 35:18, 60:18, 64:13 Line [8] - 88:8, 88:10, 88:12, 88:14, 88:15, 88:17, 88:19, 88:21 lines [1] - 5:22 Lisa [1] - 15:22 list [5] - 67:24, 68:8, 69:2, 70:7 LLC [1] - 2:12 loans [1] - 7:12 located [1] - 71:8 location [1] - 59:23 log [1] - 28:13 logging [1] - 43:8 look [2] - 17:16, 72:4 looking [5] - 60:1, 79:23, 84:18, 84:19, 84:20 Lorena [4] - 2:22, 50:8, 70:15, 86:25 LOUIS [2] - 1:20, 89:2 Louis [28] - 2:18, 2:19, 2:20, 3:15, 7:8, 7:21, 24:22, 29:7, 31:3, 31:5, 31:13, 31:16, 32:1, 39:1, 39:11, 43:20, 48:13, 50:2, 50:10, 50:11, 52:14, 59:13, 70:3, 77:1, 86:2, 86:8, 87:2, 89:6</p>
	<p>J</p> <p>January [5] - 68:9, 68:13, 68:15, 68:19 Jefferson [1] - 7:4 job [11] - 6:4, 9:7, 10:12, 11:18, 12:6, 13:11, 16:10, 19:18, 55:4, 79:16, 81:10 John [105] - 2:24, 4:15, 4:16, 10:19, 12:3, 17:22, 17:25, 19:10, 19:11, 20:1, 20:9, 22:4, 22:8, 22:9, 22:24, 23:3, 24:21, 25:9, 25:13, 25:16, 26:1, 26:6, 26:9,</p>	<p>K</p> <p>K-o-e-n-i-g [1] - 42:15 Kaenel [12] - 2:22, 50:8, 54:4, 61:9, 61:25, 62:19, 63:22, 64:17, 66:5, 81:20, 82:23, 86:25 KAENEL [11] - 2:3, 2:6, 27:17, 28:22, 28:25, 35:11, 50:7, 69:22, 75:17, 83:20, 85:1 Kansas [1] - 2:14 KAYSER [2] - 14:1, 14:2 Kayser [3] - 12:1, 13:25, 15:15 keep [3] - 6:17, 24:7, 62:2</p>	<p>L</p> <p>L.L.C [2] - 2:16, 86:6 Lancaster [1] - 42:15 language [1] - 84:21 LaPetite [1] - 74:6 Lasater [2] - 2:23, 50:12 last [4] - 24:9, 41:8, 42:14, 64:5 latter [2] - 10:25, 25:2 Lauer [3] - 41:9, 41:10, 42:10 law [2] - 3:14, 56:20 Law [9] - 2:14, 2:18, 2:22, 3:1, 86:6, 86:19, 86:25, 86:25, 87:15 lawful [2] - 4:8, 89:8 Lawrence [1] - 2:21 lawsuit [7] - 4:17, 33:24, 33:25, 34:7, 34:12, 34:14, 34:17 lawyer [2] - 59:10, 63:11 Leanne [1] - 42:17 learn [7] - 22:7, 31:4, 33:17, 33:21, 33:25, 48:12, 49:25 learned [3] - 18:8, 29:14, 34:15 least [2] - 68:11, 68:12 leaving [1] - 34:6</p>	<p>M</p> <p>ma'am [149] - 5:5, 5:12, 5:20, 6:3, 6:7, 7:14, 7:16, 7:21, 8:2, 8:6, 8:9, 8:12, 9:6, 9:14, 9:24, 10:11,</p>

10:17, 10:20, 11:5, 11:10, 12:13, 12:24, 13:10, 13:13, 13:16, 13:20, 14:2, 14:6, 14:24, 15:1, 15:6, 16:4, 17:24, 18:10, 18:12, 18:20, 18:22, 18:25, 20:25, 21:6, 22:2, 22:13, 23:12, 24:2, 24:14, 24:17, 24:25, 25:8, 25:11, 26:17, 27:8, 28:9, 30:19, 31:15, 31:22, 32:6, 32:19, 32:21, 34:22, 36:1, 41:20, 42:1, 43:13, 44:19, 46:7, 47:1, 47:4, 47:7, 47:17, 49:22, 50:19, 50:24, 51:3, 51:23, 52:6, 52:9, 52:13, 52:20, 53:19, 54:2, 54:17, 54:21, 55:18, 55:23, 56:9, 56:12, 56:16, 56:19, 56:21, 57:4, 57:10, 57:18, 57:22, 58:1, 58:23, 59:8, 59:15, 59:19, 59:21, 59:25, 60:5, 60:12, 60:14, 60:22, 61:15, 62:5, 63:5, 63:10, 63:16, 64:8, 64:11, 64:19, 64:24, 65:2, 65:6, 65:9, 65:13, 65:17, 65:21, 65:24, 66:18, 66:21, 66:25, 67:6, 67:15, 67:18, 68:6, 69:5, 70:2, 70:10, 70:23, 71:1, 71:3, 71:6, 71:9, 71:12, 71:15, 71:22, 72:3, 76:5, 81:24, 82:3, 82:22, 83:22, 84:3, 84:7, 85:11, 85:15 maintain [4] - 16:12, 58:7, 75:9, 75:22 maintained [3] - 16:14, 17:4, 32:13 maintaining [3] - 9:2, 17:6, 17:11 maker [1] - 67:25 managed [1] - 54:24 management [1] - 54:12 maneuver [3] - 57:15, 57:17, 60:20 manner [4] - 23:8, 37:12, 43:14, 61:21 March [6] - 1:16, 3:13, 86:4, 86:13, 87:20, 89:17 Mark [2] - 49:20,	63:14 marked [4] - 35:16, 59:10, 60:3, 78:19 Marshall [37] - 20:24, 21:1, 21:13, 22:4, 22:7, 22:14, 22:25, 23:2, 23:7, 24:16, 25:9, 25:12, 29:10, 29:13, 29:18, 31:10, 35:25, 38:24, 40:7, 40:8, 42:2, 42:9, 44:18, 44:22, 45:3, 45:5, 47:20, 47:24, 48:4, 48:14, 50:1, 51:1, 54:10, 54:24, 55:14, 81:20, 81:21 Marshall's [2] - 21:20, 30:13 Mary [1] - 42:13 Mass [1] - 9:12 Mata [1] - 2:12 material [1] - 64:16 matter [3] - 4:15, 36:4, 46:10 Matter [1] - 33:23 matters [1] - 89:9 McAttee [1] - 50:2 McCrary [2] - 17:13, 17:20 McIntyre [1] - 50:1 mean [9] - 8:23, 12:4, 23:8, 37:10, 53:10, 53:22, 55:9, 68:12, 78:1 means [1] - 29:13 meant [1] - 81:2 medication [2] - 6:20, 45:20 meeting [7] - 32:7, 34:8, 35:25, 36:2, 48:16, 48:24, 49:4 member [1] - 20:1 members [2] - 44:1, 44:13 mental [4] - 47:3, 47:6, 47:10, 47:15 mentally [2] - 66:16, 83:8 Meramec [1] - 7:3 merely [1] - 23:14 Merklin [10] - 2:22, 50:8, 54:4, 61:9, 61:25, 62:19, 63:22, 64:17, 66:5, 86:25 MERKLIN [11] - 2:3, 2:6, 27:17, 28:22, 28:25, 35:11, 50:7, 69:22, 75:17, 83:20, 85:1 met [1] - 53:4 Met [1] - 20:3	MH [1] - 60:19 Michael [1] - 2:23 mid [1] - 68:19 middle [4] - 10:4, 10:5, 21:10, 59:17 might [8] - 6:17, 6:22, 57:8, 57:11, 57:23, 57:24, 84:15, 87:6 Mileage [1] - 16:16 mind [1] - 81:19 minute [1] - 72:4 Mis [1] - 62:4 Mischaracterizes [2] - 27:16, 27:19 misconduct [1] - 33:1 Miss [12] - 25:9, 25:12, 40:6, 40:8, 50:21, 54:22, 54:23, 55:19, 81:20, 82:23, 84:8, 85:5 MISSOURI [9] - 1:1, 1:7, 3:2, 3:8, 3:19, 86:10, 87:18, 88:3, 89:1 Missouri [11] - 2:14, 2:18, 2:22, 3:15, 3:16, 3:18, 86:8, 87:1, 89:4, 89:6, 89:22 misspelled [1] - 86:16 Misstates [1] - 62:17 misstating [1] - 63:8 mistaken [1] - 51:5 MO [2] - 1:20, 86:2 moment [3] - 45:3, 72:16, 84:6 Monday [2] - 48:20, 48:22 mongering [2] - 21:22, 55:8 month [1] - 42:1 months [1] - 45:14 morning [2] - 4:12, 4:13 most [2] - 54:3, 59:22 move [5] - 12:20, 13:2, 45:14, 74:14, 81:11 moves [1] - 74:15 MS [52] - 2:2, 2:3, 2:4, 2:5, 2:6, 2:7, 4:11, 4:16, 4:23, 6:16, 27:16, 27:17, 27:19, 28:22, 28:25, 34:1, 35:11, 39:6, 42:4, 43:25, 44:24, 46:19, 48:1, 48:7, 48:9, 49:7, 50:4, 50:7, 53:24,	54:1, 61:7, 61:18, 62:17, 63:21, 64:13, 66:4, 69:22, 69:25, 70:11, 70:13, 73:23, 75:17, 80:24, 80:25, 81:1, 83:18, 83:20, 85:1, 85:4, 85:16, 85:17, 85:18 must [2] - 65:11, 67:10	number [4] - 4:23, 8:18, 79:17, 86:15
O				
o'clock [3] - 3:14, 73:16 oath [1] - 6:6 object [4] - 49:7, 64:13, 73:23, 75:17 Object [1] - 27:16 Objection [9] - 27:19, 39:6, 42:4, 44:24, 53:24, 61:7, 61:18, 62:17, 66:4 observant [1] - 38:9 observations [1] - 61:2 observe [1] - 20:17 obtain [1] - 77:21 occasionally [2] - 33:7, 80:19 occur [1] - 73:15 occurred [5] - 25:6, 25:20, 28:3, 48:18, 51:10 occurrence [1] - 53:2 OF [16] - 1:1, 1:1, 1:7, 1:15, 1:15, 3:1, 3:2, 3:7, 3:13, 3:19, 86:9, 87:4, 87:17, 88:3, 89:1, 89:2 offer [1] - 37:21 Office [1] - 2:20 office [2] - 17:19, 86:20 Officer [10] - 2:23, 15:22, 35:18, 36:7, 50:1, 72:9, 72:10, 72:19, 74:12, 74:15 officer [78] - 8:8, 13:3, 13:4, 18:3, 19:1, 20:10, 20:15, 22:20, 33:1, 33:5, 33:9, 37:13, 38:1, 44:9, 52:24, 53:1, 53:3, 53:4, 53:5, 53:6, 53:14, 53:15, 53:16, 55:25, 56:5, 56:11, 56:14, 56:24, 57:2, 57:6, 57:7, 57:9, 57:13, 57:14, 57:19, 57:21, 58:6, 58:12, 59:5, 60:20, 60:24, 60:25, 61:1, 61:17, 62:22, 65:4, 65:10, 65:23, 66:20, 66:23, 67:4, 67:20, 68:1, 68:17, 68:23, 69:7, 74:23, 75:6, 75:11,				
N				
name [9] - 4:14, 4:17, 4:25, 5:2, 18:6, 41:8, 42:14, 50:8, 87:8 names [2] - 13:23, 14:22 Nancy [3] - 41:8, 41:10, 42:10 nature [1] - 77:25 necessarily [1] - 81:14 necessary [4] - 35:6, 36:25, 50:17, 87:6 necessity [1] - 63:1 need [3] - 14:21, 34:4, 81:1 negative [4] - 20:12, 78:5, 78:9, 78:15 Nelson [1] - 42:17 never [4] - 18:23, 38:15, 78:15, 81:19 New [1] - 25:7 new [3] - 9:17, 68:23 next [3] - 5:23, 14:11, 68:20 nice [1] - 6:4 night [7] - 26:18, 26:20, 40:19, 41:4, 41:19, 77:3, 83:5 normal [1] - 77:19 notarized [1] - 86:19 Notary [3] - 4:2, 86:17, 87:14 note [10] - 26:1, 26:4, 26:10, 28:2, 38:16, 38:20, 38:23, 39:1, 39:3 Nothing [5] - 30:15, 77:10, 77:13, 85:2, 85:16 nothing [7] - 25:19, 28:3, 40:2, 50:5, 69:22, 70:11, 85:17 notice [2] - 85:7, 89:5 notified [1] - 85:13 November [4] - 10:2, 45:15, 46:1				

<p>75:14, 75:15, 75:20, 75:24, 77:1, 77:23, 79:19, 82:4, 82:8, 83:4, 83:25, 84:4, 84:14, 84:18 officer's [4] - 58:12, 65:19, 67:9, 74:24 officers [11] - 12:11, 14:23, 14:25, 15:12, 16:4, 18:5, 37:7, 38:7, 39:2, 58:20, 76:16 Officers [1] - 50:12 offices [2] - 3:14, 89:6 Official [6] - 1:8, 3:9, 3:20, 86:10, 87:18, 88:4 often [1] - 20:2 Oklahoma [1] - 9:22 Olivette [2] - 76:7, 76:9 ON [1] - 1:15 Once [3] - 19:4, 20:1, 28:6 One [6] - 2:17, 3:15, 18:11, 55:10, 86:7, 89:6 one [30] - 8:16, 9:22, 9:24, 14:5, 14:17, 15:18, 16:17, 18:8, 19:11, 19:21, 28:7, 28:8, 33:13, 36:19, 45:9, 47:9, 54:4, 55:2, 61:12, 65:3, 66:1, 67:1, 67:2, 67:13, 70:1, 73:6, 80:18, 81:25, 83:21, 85:5 ones [2] - 73:6, 81:7 open [1] - 61:3 Operating [6] - 65:7, 65:16, 66:15, 66:17, 66:22, 76:11 operations [1] - 9:9 opinion [2] - 38:16, 80:9 opinions [2] - 49:1, 49:9 opportunity [1] - 81:17 opposed [1] - 6:5 order [3] - 50:23, 67:7, 69:6 original [2] - 86:17, 86:19 originating [3] - 40:14, 43:16, 43:18 otherwise [1] - 59:18 outside [2] - 23:9, 52:8 oversaw [1] - 11:20 Oversee [2] - 8:24,</p>	<p>10:13 overview [1] - 58:9 OWENS [24] - 2:4, 2:7, 6:16, 27:16, 27:19, 34:1, 39:6, 42:4, 43:25, 44:24, 46:19, 48:1, 48:9, 49:7, 54:1, 62:17, 69:25, 70:11, 73:23, 80:24, 81:1, 85:4, 85:16, 85:18 Owens [5] - 2:18, 3:1, 86:6, 86:12, 87:14 own [4] - 20:18, 56:22, 75:23, 84:5</p> <p style="text-align: center;">P</p> <p>P-e-r-k-i-n-s [1] - 49:20 P.O [1] - 1:20 page [11] - 5:13, 63:23, 63:24, 63:25, 64:2, 64:3, 64:4, 86:15, 86:17, 86:19, 87:14 Page [8] - 88:8, 88:10, 88:12, 88:14, 88:15, 88:17, 88:19, 88:21 pages [1] - 63:25 paper [1] - 17:4 paragraph [6] - 35:17, 64:4, 64:5, 64:10, 64:22 parked [1] - 71:11 parking [22] - 60:11, 60:17, 61:6, 61:11, 61:22, 61:23, 70:18, 70:25, 71:4, 71:8, 71:11, 71:13, 71:17, 71:21, 72:18, 72:21, 73:1, 73:12, 73:22, 74:1, 74:5, 74:12 part [9] - 10:25, 18:4, 25:2, 34:8, 34:23, 57:2, 82:12, 82:14, 83:2 partial [1] - 64:5 particular [3] - 44:10, 61:22, 77:16 particularly [1] - 20:12 parties [2] - 89:14, 89:15 party [1] - 47:6 pass [2] - 29:10, 62:13 passed [2] - 44:5, 76:15</p>	<p>passenger [1] - 58:9 passing [1] - 55:14 past [2] - 33:7, 40:9 patrol [5] - 12:21, 13:4, 14:23, 14:25, 57:1 Patrol [5] - 11:12, 11:13, 11:19, 11:20, 13:3 pecking [2] - 55:7, 55:9 penalty [1] - 87:8 pending [1] - 3:17 people [4] - 55:17, 81:5, 81:22, 84:19 Peres [1] - 43:20 perfectly [1] - 6:14 perform [2] - 66:16, 83:9 performance [2] - 20:19, 21:20 period [5] - 32:11, 39:18, 42:1, 55:7, 70:8 perjury [1] - 87:8 Perkins [2] - 49:20, 63:14 person [17] - 14:17, 19:8, 58:10, 58:11, 58:17, 58:18, 58:19, 60:16, 60:25, 61:3, 61:4, 62:10, 70:5, 75:5, 77:21, 84:12, 84:13 person's [2] - 53:7, 84:24 personal [4] - 21:23, 23:17, 24:6, 25:24 personnel [2] - 35:9, 39:15 persons [1] - 58:10 Phoenix [4] - 2:16, 3:15, 86:6, 89:6 phone [1] - 51:19 photography [2] - 8:14, 8:17 physical [1] - 63:24 physically [1] - 66:15 pick [1] - 8:7 picked [1] - 24:22 pile [3] - 81:5, 81:7, 81:12 place [2] - 38:12, 57:21 places [1] - 82:18 Plaintiff [4] - 1:5, 2:12, 3:5, 4:1 plaintiff [1] - 59:14 PLAINTIFF [1] - 1:15 Plaintiffs [2] - 3:19, 4:9</p>	<p>pleasantries [1] - 20:4 plus [1] - 19:14 point [56] - 22:3, 24:20, 33:17, 40:13, 40:15, 40:16, 40:18, 40:22, 41:3, 41:11, 42:25, 43:3, 43:5, 43:7, 43:10, 43:15, 43:21, 43:22, 44:12, 44:18, 44:22, 45:6, 45:11, 45:13, 46:17, 47:25, 48:5, 62:3, 62:6, 62:8, 62:23, 63:7, 72:13, 72:19, 72:23, 82:8 point-to-point [20] - 40:13, 40:15, 40:16, 40:18, 41:3, 42:25, 43:3, 43:5, 43:7, 43:10, 43:21, 43:22, 44:12, 44:22, 45:6, 45:11, 62:3, 62:6, 62:8, 62:23 point-to-points [1] - 43:15 points [2] - 43:11, 43:15 police [66] - 8:8, 9:2, 9:4, 13:18, 15:12, 15:17, 16:7, 17:7, 18:2, 18:5, 19:1, 20:10, 21:2, 22:10, 22:20, 28:18, 28:20, 31:11, 32:13, 36:11, 37:13, 37:21, 38:1, 39:2, 39:20, 44:16, 52:21, 52:22, 52:24, 53:4, 56:4, 56:11, 56:14, 56:18, 56:23, 57:6, 57:13, 58:6, 59:5, 62:22, 62:23, 63:13, 65:10, 65:18, 65:23, 66:20, 66:23, 67:4, 67:9, 69:6, 69:7, 72:14, 74:22, 74:23, 76:16, 76:23, 77:1, 77:20, 77:24, 79:2, 79:19, 83:25, 84:4, 84:14 Police [40] - 1:9, 1:10, 2:15, 2:19, 2:24, 3:9, 3:10, 3:20, 3:20, 7:19, 7:22, 7:23, 7:25, 8:4, 16:2, 16:4, 24:23, 26:11, 28:16, 38:12, 45:4, 50:11, 50:12, 52:3, 52:5, 52:8, 59:1, 70:3, 76:7, 76:10, 79:10, 82:7, 82:9, 82:20, 86:10, 86:11, 87:18, 87:19, 88:4,</p>	<p>88:4 policy [6] - 42:23, 43:14, 43:23, 44:4, 44:11, 77:16 Position [6] - 2:10, 46:9, 63:20, 63:25, 64:2, 83:1 position [9] - 8:20, 10:7, 10:9, 11:11, 58:21, 61:16, 77:15, 80:8, 80:12 positions [2] - 79:18, 85:13 possible [3] - 75:10, 75:24, 86:20 possibly [1] - 55:21 Post [16] - 69:4, 69:7, 69:10, 69:14, 69:17, 69:18, 69:19, 78:23, 79:5, 79:9, 79:24, 80:4, 80:12, 81:8, 81:11, 85:6 postal [1] - 54:3 posting [1] - 69:17 potential [1] - 35:20 PPK [2] - 70:6 practices [1] - 77:19 precaution [1] - 38:6 preceding [1] - 35:13 predominant [1] - 54:3 pregnant [1] - 23:23 preparation [1] - 64:15 present [1] - 2:23 presented [1] - 67:22 presently [1] - 8:22 Presently [2] - 10:2, 15:4 pretty [1] - 16:1 prevents [1] - 6:21 previous [2] - 27:20, 71:24 previously [2] - 35:16, 78:18 probation [1] - 32:11 probationary [6] - 20:7, 32:11, 39:17, 49:3, 49:11, 49:14 problem [4] - 17:15, 55:5, 81:21, 82:1 problems [6] - 7:12, 19:21, 20:22, 21:12, 23:23, 35:20 procedure [1] - 77:16 Procedure [5] - 65:8, 65:16, 66:15, 66:17, 66:23 Procedures [1] - 76:11</p>
---	---	--	---	--

<p>process [1] - 18:4 produced [2] - 3:13, 4:8 Professional [4] - 3:16, 4:3, 86:1, 89:4 projects [1] - 15:25 proper [2] - 44:21, 45:5 psychotropic [1] - 45:20 Public [3] - 4:2, 86:17, 87:14 public [4] - 44:2, 44:6, 44:13 pull [5] - 41:8, 73:5, 73:10, 73:11, 74:5 pulled [4] - 61:12, 70:5, 72:16, 73:17 pulling [4] - 57:12, 57:15, 57:19, 74:11 pulls [2] - 74:10, 74:13 purchases [2] - 9:2, 16:12 purposes [1] - 56:3 pursuant [1] - 89:5 push [1] - 53:14 put [2] - 37:9, 61:2 Putting [2] - 46:23, 47:11 putting [1] - 47:8</p>	<p>raised [1] - 47:14 raising [1] - 6:9 RANGLES [17] - 2:2, 2:5, 4:11, 4:16, 4:23, 48:7, 50:4, 53:24, 61:7, 61:18, 63:21, 64:13, 66:4, 70:13, 80:25, 83:18, 85:17 Randles [26] - 2:12, 2:14, 4:14, 5:1, 6:18, 27:21, 29:2, 34:3, 35:15, 42:8, 44:1, 45:2, 46:21, 48:3, 48:11, 50:21, 54:23, 55:19, 62:4, 73:25, 75:22, 81:4, 84:8, 85:5, 86:19, 86:25 range [1] - 67:20 re [1] - 86:9 RE [1] - 88:3 read [15] - 35:13, 64:9, 64:17, 85:18, 86:14, 86:15, 87:5, 88:8, 88:10, 88:12, 88:14, 88:15, 88:17, 88:19, 88:21 Read [1] - 64:12 reading [2] - 64:21, 88:5 real [3] - 11:3, 19:21, 81:21 really [2] - 9:20, 42:6 REASON [8] - 88:9, 88:11, 88:13, 88:15, 88:16, 88:18, 88:20, 88:22 reason [6] - 6:13, 26:24, 53:12, 66:13, 75:4, 86:15 reasons [4] - 64:22, 64:25, 65:3, 66:1 Rebecca [4] - 2:14, 4:14, 86:19, 86:25 receive [10] - 45:16, 45:19, 45:22, 46:2, 46:12, 46:16, 46:22, 46:24, 77:22, 79:18 received [4] - 39:22, 47:19, 79:9, 80:4 receiving [1] - 69:11 recently [1] - 35:19 recollection [2] - 19:9, 35:2 recommendation [1] - 39:16 record [5] - 5:2, 15:8, 25:5, 86:20, 89:11 records [9] - 8:25, 16:12, 16:14, 16:18, 16:20, 16:21, 16:23, 16:25, 17:3</p>	<p>RECROSS [4] - 2:5, 2:6, 83:19, 85:3 RECROSS-EXAMINATION [4] - 2:5, 2:6, 83:19, 85:3 rectangle [2] - 60:13, 61:14 REDIRECT [2] - 2:4, 70:12 reduced [1] - 89:10 refer [1] - 5:6 references [3] - 18:19, 18:21, 18:24 referred [1] - 36:9 regard [33] - 4:24, 9:1, 9:15, 16:15, 16:22, 17:6, 19:13, 20:6, 21:20, 22:22, 24:5, 25:13, 26:22, 32:7, 40:3, 40:6, 40:8, 40:19, 43:3, 43:23, 45:6, 47:10, 47:19, 47:24, 70:14, 77:3, 77:17, 78:4, 81:20, 82:4, 85:6, 85:8, 85:10 regarding [10] - 16:12, 19:10, 26:25, 27:22, 30:22, 32:8, 43:14, 45:11, 48:17, 49:13 regards [1] - 86:22 Registered [4] - 3:16, 4:3, 86:1, 89:4 related [1] - 89:14 relates [1] - 62:20 relation [2] - 69:18, 71:5 relationship [5] - 22:5, 22:8, 22:25, 23:3, 23:6 relative [3] - 23:25, 31:18, 89:15 relatives [2] - 76:18, 76:23 release [1] - 32:15 relevance [1] - 30:7 relying [1] - 31:10 remain [3] - 74:21, 74:24, 75:8 remember [8] - 10:24, 12:3, 19:11, 21:14, 25:15, 26:8, 28:2, 55:21 render [1] - 87:7 repairs [1] - 16:16 repeat [3] - 45:1, 48:1, 50:16 rephrase [1] - 46:21 replace [1] - 4:19 Report [3] - 82:10,</p>	<p>82:19, 82:20 report [24] - 26:9, 26:12, 28:13, 29:5, 29:7, 29:17, 29:22, 30:12, 31:8, 31:11, 36:11, 38:18, 39:11, 39:12, 39:13, 39:20, 48:13, 70:3, 82:4, 82:6, 82:11, 82:12, 82:13, 82:14 reported [14] - 25:17, 25:22, 27:1, 27:3, 27:4, 27:14, 27:22, 29:8, 29:16, 30:2, 31:2, 31:4, 31:16, 38:22 Reporter [9] - 3:16, 3:16, 3:17, 4:3, 4:3, 89:3, 89:4, 89:21 reporter [3] - 4:19, 5:19, 19:3 REPORTER [2] - 4:22, 87:16 reporter's [1] - 6:1 Reporters [1] - 86:1 reporting [2] - 25:18, 26:14 Reporting [1] - 86:1 REPORTING [1] - 1:19 reports [2] - 17:18, 30:13 represent [3] - 4:14, 50:9, 50:13 reprimanded [3] - 75:12, 75:16, 75:25 reputation [2] - 20:9, 20:14 reserved [1] - 4:4 Resources [1] - 81:5 respect [19] - 51:1, 52:24, 53:20, 53:22, 54:23, 56:18, 56:23, 57:5, 59:4, 62:1, 62:6, 67:25, 69:3, 69:18, 69:20, 75:18, 76:13, 83:24, 84:9 respective [1] - 43:19 response [2] - 26:23, 30:1 responsibilities [1] - 13:11 responsibility [1] - 32:20 responsible [3] - 14:17, 16:18, 33:4 resume [1] - 81:11 retained [1] - 3:1 Retha [1] - 42:15 return [1] - 86:19</p>	<p>returned [1] - 89:12 right-most [1] - 59:22 risk [1] - 37:9 road [10] - 12:8, 12:9, 12:14, 59:17, 59:20, 60:9, 73:22, 74:1, 74:4, 74:5 Road [2] - 59:18, 70:18 role [1] - 9:15 Roos [1] - 2:21 rotate [2] - 41:22, 41:23 rotating [1] - 41:20 roughly [1] - 61:13 routine [1] - 32:25 RPR [3] - 86:24, 87:16, 89:21 rule [1] - 44:12 rules [4] - 5:14, 50:14, 75:18, 75:19 rumor [2] - 21:21, 55:8 rumormonger [2] - 40:10, 55:12</p>
<p>Q</p> <p>qualification [2] - 69:1, 70:8 qualified [2] - 67:11, 67:14 qualify [3] - 67:20, 68:17, 69:7 quality [1] - 20:18 questioned [1] - 36:22 questioning [1] - 64:14 QUESTIONS [10] - 2:3, 2:4, 2:5, 2:6, 2:7, 50:7, 69:25, 70:13, 83:20, 85:4 questions [4] - 48:12, 50:14, 83:18, 85:6 quick [2] - 84:23, 85:5 quickly [1] - 63:4 quite [1] - 27:1</p>				
<p>R</p> <p>radio [2] - 9:2, 43:5</p>				

<p>65:15, 66:2, 67:8, 67:24, 68:1, 68:24, 83:13 secretaries [1] - 16:6 see [8] - 6:15, 31:11, 43:11, 58:18, 64:7, 72:10, 79:7, 80:19 seem [2] - 51:17, 51:18 self [1] - 53:8 semester [1] - 8:16 sense [1] - 73:11 sent [2] - 40:19, 87:14 separate [2] - 82:11, 82:13 sequence [1] - 24:21 Sergeant [2] - 17:13, 17:20 sergeant [8] - 12:8, 12:9, 12:10, 13:6, 17:10, 62:13, 62:16, 62:20 sergeants [5] - 12:11, 14:12, 14:13, 14:22, 14:25 sergeants' [1] - 14:22 series [1] - 59:12 serious [1] - 37:3 seriousness [1] - 29:20 service [4] - 16:16, 17:2, 17:3, 17:11 services [1] - 9:1 Services [1] - 19:24 set [1] - 89:17 sexual [4] - 33:18, 34:16, 36:3, 46:3 Sgt [1] - 2:23 share [2] - 23:17, 24:6 shared [1] - 23:20 SHEET [1] - 88:2 sheet [2] - 86:15, 86:20 sheets [1] - 86:18 shift [6] - 12:11, 41:19, 41:21, 41:22 shifts [1] - 41:20 shooting [1] - 61:3 Short [1] - 48:10 short [1] - 55:6 Shorthand [2] - 3:17, 89:4 shorthand [2] - 4:2, 89:10 siblings [2] - 4:24 side [6] - 7:6, 16:18, 16:19, 58:9, 59:22, 60:10</p>	<p>SIGNATURE [1] - 87:4 signature [3] - 4:4, 86:17, 86:19 Signature [1] - 87:14 signed [4] - 33:6, 67:23, 86:17, 86:18 signs [1] - 35:20 simply [1] - 52:4 single [2] - 80:12, 81:10 siren [1] - 72:20 sirens [1] - 72:10 situation [19] - 28:15, 30:24, 33:14, 37:25, 38:7, 39:4, 52:25, 56:1, 57:5, 57:9, 62:25, 74:14, 74:22, 79:22, 81:9, 83:24, 84:4, 84:11, 84:15 situations [4] - 52:21, 55:20, 57:23, 63:3 Six [1] - 14:14 six [3] - 14:16, 42:19, 49:24 sketch [1] - 70:21 slow [1] - 50:16 society [1] - 53:22 solely [1] - 29:17 someone [9] - 17:18, 19:7, 19:15, 30:10, 53:11, 55:20, 77:7, 77:18, 82:9 sometime [3] - 24:2, 68:13, 68:19 sometimes [1] - 51:17 somewhere [1] - 12:17 soon [1] - 86:20 SOP [5] - 65:5, 65:14, 82:24 SOPs [1] - 82:24 Sorry [1] - 27:17 sorry [11] - 14:24, 17:15, 28:22, 29:1, 48:1, 60:1, 60:2, 62:19, 63:23, 64:12, 71:19 sort [1] - 61:13 Sort [1] - 53:17 sound [1] - 50:22 sources [2] - 36:7, 36:9 South [1] - 2:21 space [1] - 73:12 spaces [1] - 71:5 speaking [3] - 6:2, 58:8, 68:14</p>	<p>special [1] - 15:24 specific [6] - 19:9, 35:2, 40:17, 44:7, 54:25, 55:13 speculation [1] - 53:25 speed [6] - 61:23, 73:4, 73:10, 73:18, 73:19, 74:11 split [1] - 84:23 SPOERRY [10] - 1:15, 3:13, 4:7, 87:4, 87:5, 87:12, 87:17, 88:1, 88:24, 89:7 Spoerry [4] - 5:3, 5:4, 5:7, 86:14 Spoerry's [1] - 86:13 spot [1] - 74:12 spots [1] - 61:13 spread [1] - 21:23 spreadsheets [1] - 17:5 SS [2] - 87:1, 89:2 ST [2] - 1:20, 89:2 St [24] - 2:20, 7:7, 7:21, 24:22, 29:7, 31:2, 31:5, 31:13, 31:16, 32:1, 39:1, 39:11, 43:20, 48:13, 50:2, 50:10, 52:14, 59:13, 60:3, 70:3, 77:1, 86:2, 87:2 stability [4] - 47:3, 47:6, 47:10, 47:15 Stacie [5] - 2:18, 3:1, 27:18, 86:6, 87:14 staff [5] - 31:1, 52:12, 54:16, 57:3 Standard [6] - 65:7, 65:15, 66:15, 66:17, 66:22, 76:11 stands [1] - 13:18 start [1] - 61:3 started [7] - 9:19, 12:21, 12:22, 12:23, 22:10, 55:19 starting [1] - 7:1 starts [2] - 64:2, 64:6 State [5] - 3:16, 87:1, 89:4, 89:5, 89:22 STATE [1] - 89:1 state [4] - 3:17, 5:1, 7:6, 69:12 Statement [6] - 2:10, 46:9, 63:20, 63:25, 64:2, 83:1 Statements [1] - 36:6 States [1] - 3:18 STATES [2] - 1:1, 3:1 station [1] - 38:8</p>	<p>status [6] - 20:7, 46:13, 46:17, 49:3, 49:11, 49:14 step [2] - 5:22, 67:16 steps [2] - 39:19, 67:13 still [6] - 8:15, 27:10, 49:21, 51:15, 74:21, 76:25 STIPULATED [1] - 4:1 stop [7] - 35:11, 58:11, 58:22, 75:15, 75:23, 84:12, 84:24 stoplight [1] - 72:17 stopped [2] - 37:7, 58:25 stopping [4] - 57:9, 57:21, 60:20, 61:17 stops [2] - 58:6, 61:1 straight [3] - 61:12, 74:3, 74:5 strategy [1] - 32:15 Street [1] - 2:13 stress [1] - 55:5 struggling [1] - 45:23 Student [1] - 7:12 subject [5] - 65:23, 66:23, 67:3, 74:21, 74:23 subscribe [1] - 87:8 subscribing [1] - 88:5 subsequent [1] - 9:20 Subsequently [1] - 7:19 substance [1] - 87:6 suggest [1] - 36:7 suicidal [4] - 52:25, 57:8, 57:14, 84:13 suicide [22] - 25:25, 26:4, 31:7, 31:9, 31:17, 32:5, 35:21, 35:23, 37:1, 38:15, 38:19, 38:20, 38:23, 38:25, 39:2, 39:3, 53:3, 53:8, 53:9, 53:10, 53:12, 53:18 Suite [3] - 2:13, 2:17, 86:7 sun [1] - 6:15 supervise [3] - 8:24, 10:13, 15:19 supervising [1] - 20:21 supervision [3] - 14:18, 16:24, 89:11 supervisor [6] - 12:8, 12:9, 12:14,</p>	<p>13:5, 21:5, 57:2 supervisory [5] - 15:2, 15:7, 15:12, 15:16, 23:15 Support [3] - 8:22, 10:1, 10:22 support [3] - 9:1, 9:6, 21:8 suppose [1] - 45:12 supposed [3] - 76:3, 82:5, 82:15 suspect [2] - 46:14, 58:13 sworn [3] - 3:13, 4:8, 89:8</p>
T				
<p>T.V [1] - 43:11 Taco [1] - 72:23 tactical [2] - 58:21, 74:15 TAKEN [1] - 1:15 Tarkio [2] - 7:5, 7:15 taught [3] - 8:10, 8:13, 58:20 teach [2] - 8:15, 8:17 teams [1] - 12:10 techniques [1] - 56:18 telephone [2] - 30:18, 72:9 tend [1] - 5:22 tens [3] - 79:21, 79:23, 80:7 term [6] - 24:4, 54:2, 65:11, 65:18, 65:19, 66:19 terminate [4] - 48:25, 49:16, 63:7, 63:12 terminated [6] - 36:17, 38:17, 39:17, 49:6, 64:22, 66:1 termination [9] - 34:21, 39:4, 39:5, 40:3, 46:6, 66:9, 66:24, 67:5, 77:8 terms [1] - 67:9 Tesson [3] - 59:18, 70:18, 74:7 testified [1] - 64:15 testify [1] - 89:9 testimony [12] - 6:8, 27:20, 50:21, 51:24, 60:15, 62:3, 62:18, 63:8, 70:21, 72:7, 72:8, 89:12 THE [6] - 1:1, 1:15, 3:1, 4:22 themselves [1] - 53:13</p>				

<p>therein [1] - 89:9 thereon [1] - 87:7 thereto [1] - 88:6 thinking [1] - 32:5 third [3] - 35:18, 64:2, 66:13 Thomas [1] - 2:23 Thomeczek [7] - 2:24, 50:12, 72:9, 72:10, 72:19, 74:12, 74:16 threat [1] - 44:7 threatened [4] - 31:7, 31:17, 36:8, 53:3 threatening [1] - 31:9 three [5] - 11:15, 13:21, 67:1, 67:2, 81:10 throughout [1] - 56:10 tidbit [1] - 55:11 title [2] - 12:7, 15:23 today [2] - 6:22, 6:23 together [3] - 15:24, 23:9, 51:15 took [2] - 38:12, 39:11 topics [1] - 23:20 totality [7] - 39:9, 57:24, 59:6, 75:1, 83:23, 84:1, 84:17 touching [1] - 89:9 toward [2] - 66:14, 74:11 towards [1] - 60:10 trained [1] - 84:14 training [4] - 11:21, 12:3, 56:11, 56:13 Training [3] - 11:21, 11:22, 11:24 transcribed [2] - 4:3, 89:11 transcription [1] - 89:11 transition [1] - 19:13 transmission [2] - 43:5, 43:8 transmitted [4] - 40:15, 43:24, 78:15, 78:23 transpired [1] - 30:22 tree [2] - 73:10, 74:11 trees [1] - 71:7 true [7] - 55:12, 81:25, 82:2, 87:7, 87:9, 89:11 truth [1] - 89:9</p>	<p>try [7] - 37:16, 50:17, 50:20, 50:22, 58:7, 81:16, 81:17 trying [3] - 10:24, 25:23, 84:22 turn [5] - 58:14, 63:23, 71:14, 72:21, 73:5 turned [3] - 60:17, 72:10, 72:20 turns [1] - 57:16 twice [1] - 21:8 two [10] - 11:25, 12:11, 22:21, 63:25, 65:22, 73:22, 74:1, 74:5, 82:18, 84:13 type [1] - 36:16 typewriting [1] - 4:3 typographical [1] - 86:15</p>	<p>58:21, 61:1, 74:24, 75:8, 75:10, 84:14, 84:21 vehicles [6] - 9:3, 9:5, 16:13, 16:15, 17:1, 71:10 vetting [2] - 18:4, 18:7 via [1] - 30:18 victim [2] - 33:18, 46:3 video [2] - 17:16, 17:18 videos [3] - 17:7, 17:11 violation [7] - 44:12, 65:3, 66:14, 66:22, 67:2, 67:3, 76:10 violations [2] - 65:22, 79:8 VON [11] - 2:3, 2:6, 27:17, 28:22, 28:25, 35:11, 50:7, 69:22, 75:17, 83:20, 85:1 Von [2] - 81:20, 82:23 von [14] - 2:16, 2:22, 3:15, 50:8, 54:4, 61:9, 61:25, 62:19, 63:22, 64:17, 66:5, 86:6, 86:25, 89:6 vs [5] - 1:6, 3:6, 86:9, 87:17, 88:3</p>	<p>West [1] - 2:13 whatsoever [1] - 46:8 wherein [1] - 3:19 WHEREOF [1] - 89:17 whole [1] - 89:9 wide [5] - 70:24, 71:14, 73:6, 73:10, 73:19 wife [11] - 31:19, 31:20, 31:21, 31:24, 32:2, 38:21, 38:25, 72:9, 72:14 wishing [1] - 53:8 witness [4] - 4:4, 89:8, 89:9, 89:12 WITNESS [1] - 89:17 WMD [3] - 9:10, 9:13, 9:15 word [1] - 69:17 words [1] - 6:2 work [8] - 8:1, 8:3, 16:6, 20:6, 21:17, 22:22, 24:1, 54:20 worked [3] - 12:10, 55:1, 55:5 working [2] - 15:24, 17:19 worried [1] - 51:18 write [1] - 30:12 writing [1] - 82:4 written [2] - 27:21, 30:15</p>
	<p>U</p> <p>U-turn [2] - 58:14, 71:14 U-turns [1] - 57:16 ultimate [2] - 49:12, 67:25 unable [3] - 23:25, 58:18, 66:15 unauthorized [3] - 65:14, 66:2, 83:13 unbecoming [2] - 65:4, 83:4 under [14] - 6:6, 11:25, 14:8, 14:19, 15:20, 15:24, 16:9, 16:24, 17:8, 17:9, 54:11, 55:5, 87:8, 89:11 undergone [1] - 56:11 United [1] - 3:17 UNITED [2] - 1:1, 3:1 Unless [2] - 41:4, 44:7 unless [1] - 44:6 unsafe [1] - 75:15 up [8] - 8:7, 11:1, 21:23, 24:22, 32:14, 48:12, 70:14, 72:16 upper [1] - 52:12 upset [1] - 51:17 usual [1] - 5:21</p>	<p>W</p> <p>wait [3] - 5:23, 5:24, 19:2 Walther [2] - 70:6 wants [1] - 53:11 watch [2] - 12:12, 12:15 weapon [25] - 37:18, 37:20, 37:21, 38:2, 55:25, 56:1, 57:8, 57:25, 58:16, 61:4, 65:15, 66:3, 67:8, 67:10, 68:2, 68:18, 68:25, 70:9, 82:5, 82:8, 82:16, 82:19, 83:13 weapons [4] - 57:7, 57:13, 67:24, 84:13 Weapons [1] - 9:12 welfare [7] - 27:6, 27:25, 35:8, 39:14, 51:7, 52:18, 52:23 well-being [1] - 51:14 Wendy's [1] - 72:23 west [1] - 7:6</p>	<p>Y</p> <p>year [4] - 13:1, 59:1, 68:10, 68:22 year's [1] - 70:7 Year's [1] - 25:7 years [7] - 8:19, 11:15, 12:16, 49:24, 56:5, 57:1 yesterday [1] - 24:4 yourself [2] - 56:14, 64:12</p>